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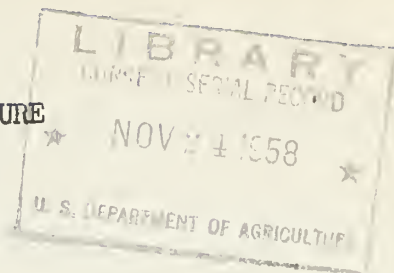




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UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
DAIRY DIVISION



SUMMARIES OF
FEDERAL MILK MARKETING ORDERS
and
Federal Register Citations

Revised through: March 1, 1958

Attached are inserts to be substituted for the corresponding pages (or (or added, if corresponding pages do not exist) in the Summaries of Federal Milk Marketing Orders (and Federal Register Citations). These inserts include amendments to existing orders which have become effective during the period November 2, 1957 through March 1, 1958. Last insert covered changes through November 1, 1957.

In order to effect a gradual revision of the entire summary compilation, the inserts at times, may include certain pages which have been rewritten merely to conform to the present format and may not reflect any changes in the order provisions.

Agriculture - Washington

Table 2 - Basis for determining Class I prices in Federal milk order markets, and markets having a supply-demand adjuster. 1/

Market	:	:	Price paid at	:	:	:	:	:
	Supply-	12 Midwest	Specified	Butter-	Butter-	Economic		
	Demand	condenseries	mfg.	Powder	Cheese	Factors		
	Adjuster:	3/	plants	:	:	:		
Akron-Stark County	: X <u>2/</u>	: X <u>5/</u>	: -	: X <u>5/</u>	: -	: -		
Appalachian	: -	: X	: X	: X	: -	: -		
Austin-Waco	: X <u>2/</u>	: X <u>5/</u>	: X <u>5/</u>	: X <u>5/</u>	: -	: -		
Black Hills	: -	: X	: -	: X	: -	: -		
Bluefield	: -	: X	: X	: X	: -	: -		
Boston	: X	: -	: -	: -	: -	: X		
Cedar Rapids	: X <u>2/</u>	: -	: X	: X	: -	: -		
Central Arizona	: -	: X	: -	: X	: -	: -		
Central Arkansas	: X <u>2/</u>	: X <u>5/</u>	: X <u>5/</u>	: X <u>5/</u>	: X <u>5/</u>	: -		
Central Mississippi	: -	: X	: X	: X	: -	: -		
Central West Texas	: X <u>2/</u>	: X <u>5/</u>	: X <u>5/</u>	: X <u>5/</u>	: -	: -		
Chattanooga	: X	: X	: -	: X	: X	: -		
Chicago	: X	: X	: -	: X	: -	: -		
Cincinnati	: X	: X	: -	: X	: -	: -		
Clarksburg	: X <u>4/</u>	: X	: -	: X	: X	: -		
Cleveland	: X	: X	: -	: X	: -	: -		
Columbus	: X	: X	: -	: X	: -	: -		
Corpus Christi	: X <u>4/</u>	: X	: X	: X	: -	: -		
Dayton-Springfield	: X	: X	: -	: X	: X	: -		
Detroit	: X	: X	: X	: X	: -	: -		
Dubuque	: -	: -	: X <u>5/</u>	: -	: -	: -		
Duluth-Superior	: -	: -	: -	: X	: -	: -		
Eastern South Dakota	: -	: X	: -	: X	: -	: -		
Fall River	: X	: -	: -	: -	: -	: X		
Fort Smith	: -	: X	: X	: X	: -	: -		
Fort Wayne	: X	: -	: X	: X	: X	: -		
Greater Kansas City	: X	: X	: -	: X	: -	: -		
Inland Empire	: X	: X	: -	: X	: -	: -		
Knoxville	: X	: X	: X	: X	: X	: -		
Louisville	: -	: X	: X	: X	: X	: -		
Memphis	: X	: X	: X	: X	: X	: -		
Merrimack Valley	: X	: -	: -	: -	: -	: X		
Milwaukee	: X	: X	: -	: X	: -	: -		
Minneapolis-St. Paul	: X	: X	: -	: X	: X	: -		
Muskegon	: -	: X	: X	: X	: -	: -		
Nashville	: X	: X	: X	: X	: X	: -		
Neosho Valley	: X <u>2/</u>	: X	: X	: X	: -	: -		
New Orleans	: X	: X	: X	: X	: -	: -		
New York-New Jersey	: X	: -	: -	: -	: -	: X		
North Central Iowa	: X <u>2/</u>	: X <u>5/</u>	: -	: X <u>5/</u>	: -	: -		

Regulated Plant - cont'd

- b. A plant loses its "regulated plant" status when no Class I milk in the form of milk is disposed of in the marketing area for two successive months; or, upon written request, to the market administrator by the operator of a non-distributing plant, for status as an unregulated plant.

Each of a handler's plants which is an unregulated receiving plant during any of the months of July through March shall be an unregulated plant in the succeeding months of April through June.

The order provides a definition of the following plants which may or may not be "regulated plants" depending upon the qualifications of such plant plants:

City plant - i.e., a plant located not more than 40 miles from the State House in Boston.

Country plant - i.e., a plant located not less than 40 miles from the State House in Boston.

Distributing plant - i.e., any plant from which Class I milk in the form of milk is disposed of directly to consumers in the marketing area.

Producer:

Any dairy farmer whose milk is delivered from his farm to a "regulated plant" or whose milk which is ordinarily delivered to a "regulated plant" is diverted from such plant for the handler's account.

The definition does not include a producer-handler; a dairy farmer who is a producer under the Merrimack Valley, Springfield, or Worcester orders with respect to milk diverted from the other order plant to which it is ordinarily delivered; a dairy farmer with respect to exempt milk delivered (i.e. equivalent amounts of bulk and packaged milk moving between "regulated plants" and unregulated plants or dairy farmers); or a "dairy farmer for other markets" 2/

* 2/ Dairy farmer for other markets - i.e., a person whose milk is received at a "regulated plant" during April, May or June if unpriced milk was received from the same farm in any of the preceding months of July through March unless the dairy farmer was a producer-handler in the period; or a person whose milk is purchased from him by an unregulated dealer but moved directly from the farm to a "regulated plant"; or a person whose milk is received at a "regulated plant" if milk from the same farm was moved as unpriced milk to an unregulated plant of the same handler during the month.

Regulated Plant - cont'd

2. A City Plant - (i.e., a plant located within 10 miles of the boundary of the marketing area) is considered to be a "regulated plant" any month in which it meets the requirements of paragraph 1 (above) and:
 - a. At least 10 percent of it's total receipts of fluid milk products 2/ other than cream is disposed of as Class I milk in the marketing area; or
 - b. Such plant is operated by an association of producers.
3. A country plant - (i.e., a plant located beyond 10 miles of the marketing area) is a "regulated plant" any month it meets the requirements of paragraph 1 (above) and at which milk is processed and packaged for disposition in the marketing area and which disposes of not less than 10 percent of its receipts of fluid milk products (except cream) in the marketing area as Class I milk; or such plant is a "regulated plant" in any month in which more than 30 percent of its receipts of fluid milk products (except cream) is disposed of directly to consumers in the marketing area as Class I or is shipped as milk to a city plant which disposes of more than 50 percent of its total receipts of fluid milk products (except cream) as Class I milk.
4. Any country plant which is a "regulated plant" under this order (except a plant qualifying pursuant to the 10 percent requirement) or under the Boston, Worcester or Springfield orders continuously in each of the months of October through February may, upon application, be designated a "regulated plant" for the months of March through September regardless of the quantity disposed of in the marketing area.

Producer:

Any dairy farmer whose milk is delivered from his farm to a "regulated plant" or is diverted from such plant for the account of the handler.

This definition does not include a "dairy farmer for other markets" 3/; a dairy farmer with respect to exempt milk delivered 4/; a producer-handler; or a dairy farmer who is a producer under the Boston, Worcester, or Springfield orders whose milk is diverted from the plant to which it is ordinarily delivered.

* 3/ Dairy farmer for other markets - i.e., a person whose milk is received at a "regulated plant" during the months of March through September and who delivered unpriced milk to such plant (except under certain conditions specified in the order) during any of the preceding months of October through February; or a person whose milk is purchased from him by an unregulated dealer but moves directly from the farm to a "regulated plant"; or a person whose milk is received at a "regulated plant" if milk from the same farm was moved as unpriced milk, during the month, to an unregulated plant of the same handler.

Federal Milk Order No. 92

New Orleans, Louisiana 1/

Marketing Area:

All the territory within the parishes of Jefferson, Lafourche, Orleans, Plaquemines, St. Benard, St. Charles, and Terrebonne, all in the State of Louisiana.

Handler:

1. Any person in his capacity as operator of a "regulated plant;"
2. The operator of any unregulated distributing plant with route distribution in the marketing area.
3. A cooperative association with respect to producer milk diverted for its account to an unregulated plant from a "regulated plant".

* Regulated Plant: (Defined in the order as a pool plant)

1. A distributing plant (i.e., any plant at which fluid milk products eligible for Grade A marketing area distribution are processed, packaged and disposed of from the plant on a marketing area route) other than a producer-handler's plant, an exempt handler's plant, or a plant subject to another Federal order, which during the month:
 - a. Disposes of 20 percent or more of the receipts from dairy farmer's and supply plants as fluid milk products on routes in the marketing area.
 - b. Has a total disposition of fluid milk products on routes of 50 percent or more of receipts from dairy farmers and supply plants.
2. A supply plant (i.e., any plant at which milk eligible for Grade A marketing area distribution is received from dairy farmers and from which fluid milk products are moved to a distributing plant) which moves 50 percent of receipts from dairy farmers, each month, to a "regulated distributing plant"; a supply plant which qualifies on this basis each month of the September through December period may retain "regulated plant" status in the following months of January through August.
3. The order lists 14 supply plants that are designated "regulated plants" through August, 1958. Except for such plants that qualify pursuant to paragraph 2, any designated plant may withdraw from "regulated plant" status during the period.

1/ The New Orleans order was amended as of 12/1/57 and again as of 3/1/58. Only those provisions changed by amendment of 3/1/58 are marked with the asterisk.

Producer:

Any person, other than a producer-handler, who produces milk eligible for Grade A marketing area distribution which milk is received during the month at a "regulated plant" or diverted by a handler to a "regulated plant" or to an unregulated plant for his account any day during January through August or to the extent of not more than 10 days daily production during any other month.

Producer-handler:

A dairy farmer who operates a distributing plant at which no fluid milk or fluid milk products are received during the month except his own production and transfers from "regulated plants". Producer-handlers are exempt from most of the regulatory provisions of the order but reports may be required by the market administrator.

Classification:Class I Milk - All skim milk and butterfat:

- a. Disposed of in the form of fluid milk products except those classified pursuant to c. and d. under Class II milk.
- b. Not specifically accounted for as Class II milk.

Fluid milk products - i.e., milk, skim milk, buttermilk, flavored milk or milk drinks (includes eggnog), yogurt, cream (except frozen storage cream) cultured sour cream and any mixture of cream and milk or skim milk (other than ice cream mixes, frozen deserts and sterilized products in hermetically sealed containers).

Class II Milk - all skim milk and butterfat:

- a. Used to produce any product other than a fluid milk product.
- b. Contained in month-end inventory of fluid milk products.
- c. Disposed of as dumped skim milk.
- d. Disposed of as skim milk and used for livestock feed.
- e. In shrinkage not to exceed: 1) 0.5 percent of milk received from producers and disposed of as whole milk, skim milk or cream; 2) 1.5 percent of skim milk or butterfat received in bulk tank lots and disposed of in a form other than bulk tank lots; 3) 2.0 percent of milk received from producers and disposed of other than as bulk tank lots.

Class Prices (4.0 percent butterfat):

Basic Formula Price - The highest price computed pursuant a, b, or c:

- a. The average of prices paid for 3.5 percent butterfat milk at specified Midwest condenseries (see Chicago summary for list) divided by 3.5 and multiplied by 4.0.

Class Prices (4.0 percent butterfat):Basic Formula Price - cont'd

b. (Chicago 92-score butter x 4.8) +

(Chicago area spray-roller powder-5¢ x 7.5)

c. The average of prices reported paid for milk of 4.0 percent butterfat content at the following plants:

Pet Milk Company	Kosciusko, Mississippi
Borden Food Company	Starkville, Mississippi
Kraft Foods Company	Newton, Mississippi
Wilson and Company	Macon, Mississippi

Class I Milk Price - The basic formula price for the preceding month plus \$2.30 during March through June; and plus \$2.50 in all other months, plus or minus a supply-demand adjustment computed as follows:

Supply-demand adjustment - A current utilization percentage is computed from the percentage which the total volume of producer receipts is of total gross volume of Class I milk at "regulated plants" (less interhandler transfers) for the two immediately preceding months.

A net deviation percentage is computed by subtracting from the current utilization percentage the appropriate base percentage below:

<u>Month</u>	<u>Months</u>	<u>Base</u>	<u>Month</u>	<u>Months</u>	<u>Base</u>
	<u>Used</u>	<u>Percentage</u>		<u>Used</u>	<u>Percentage</u>
Jan.	Oct-Nov	118	July	Apr-May	137
Feb.	Nov-Dec	123	Aug.	May-June	134
Mar.	Dec-Jan	128	Sept.	June-July	131
Apr.	Jan-Feb	133	Oct.	July-Aug	127
May	Feb-Mar	136	Nov.	Aug-Sept	121
June	Mar-Apr	138	Dec.	Sept-Oct	113

The amount of the supply-demand adjustment is determined from the following schedule:

<u>Net deviation</u>	<u>Amount (cents)</u>	<u>Net deviation</u>	<u>Amount (cents)</u>
- 24 or more	+ 49	+ 3 or + 4	- 7
- 21 or - 22	+ 43	+ 6 or + 7	-13
- 18 or - 19	+ 37	+ 9 or +10	-19
- 15 or - 16	+31	+12 or +13	-25
- 12 or - 13	+25	+15 or +16	-31
- 9 or - 10	+19	+18 or +19	-37
- 6 or - 7	+13	+21 or +22	-43
- 3 or - 4	+ 7	+24 or more	-49
- 1,0 or + 1	0		

Class Prices (4.0 percent butterfat) - cont'd

Class II Milk Price - The price pursuant to c. (local plants) under Basic Formula Price plus 15 cents during February through August and plus 25 cents in all other months. The Class II price shall in no case exceed the Basic Formula Price.

Butterfat Differentials:

Class I Price - Chicago 92-score butter for previous month x 0.12.

Class II Price - Chicago 92-score butter for current month x 0.11.

Producer Price - Average of Class differential weighted by the amount of producer butterfat in each class.

Location Differentials:

Class I Price - Applicable location differential adjustments, with respect to the location of plants from New Orleans City Hall are set forth in the following schedule; no differential is effective for plants located in the 61-70 mile zone.

<u>Zone (miles)</u>	<u>Rate (per cwt.)</u>
20 miles or less	+ 28.0
20 - 30	+ 8.0
30 - 40	+ 6.0
40 - 50	+ 4.0
50 - 60	+ 2.0
60 - 70	0.0
70 - 80	- 2.0
80 - 90	- 4.0
90 - 100	- 6.0
100 - 110	- 7.0
each additional 10 miles	- 1.5

Class II Price - None

Producer Price - The same as Class I location differential, and applies to all milk during September through February and to base milk only during March through August.

Method of Accounting for Milk:

Skim, milk and butterfat are accounted for separately.

* Type of Pool:

Market-wide, monthly pool with base rating plan.

Interhandler Transfers:

Milk, skim milk or cream, in bulk, transferred or diverted to a "regulated plant" is classified:

- a. As Class I if transferred to a producer-handler's plant.
- b. As Class I if transferred to the "regulated plant" of another handler unless Class II utilization is indicated in the reports of both handlers and the receiving plant had utilization of an equivalent amount in same class. The transferred amounts are classified so as to allocate the greatest Class I utilization to producer milk.

Outside Purchases:

* Other source milk is subtracted, in series, beginning with Class II after subtraction of shrinkage, as follows:

- a. All that not specified in b. and c. below:
- b. That received from plants subject to another Federal order.
- c. That received in consumer packages from unregulated distributing plants operated by a handler.

** Compensatory payments are required on other source milk subtracted from Class I pursuant to a. (above) at the difference between the Class I price adjusted by butterfat and location differentials and the Class II price adjusted by the Class II butterfat differential. The rate is zero in any month producer deliveries are less than 110 percent of Class I utilization at "regulated plants".

* Outside Sales:

Skim milk and butterfat transferred as milk, skim milk, or cream, in bulk, from a "regulated plant" to an unregulated plant is classified:

- a. As Class I if the unregulated plant is located more than 275 miles from the New Orleans City Hall, unless transferred in the form of cream, in bulk, to such plant having only Class II milk.
- b. As Class I, except in a. above, unless: The transferring handler claims Class II in his reports; records are maintained and are available at the receiving plant which are adequate for verification of Class II use; and the skim milk and butterfat, respectively, received during the month at the unregulated plant from plants subject to this and other Federal orders does not exceed, the Class II utilization of the unregulated plant as computed pursuant to the order.

Expense of Administration:

Handlers pay administrative costs not to exceed 4 cents per hundredweight with respect to all milk received from producers, including that received from their own production.

Special Producer Provisions:

Marketing Service - Deductions as authorized by members are turned over to cooperative associations. A marketing service charge not to exceed 5 cents is deducted from non-members.

Base Rating - A base rating plan, subject to the rules set forth in the order applies March through August using a base determined in the preceding months of October through February by dividing the total pounds of milk received from each producer during the period by the number of days in the period.

Transfer of Base - A base (including a base held jointly) may be transferred at any time upon proper application to the market administrator.

Special Handler Provisions:

1. Exempt handler - A handler who operates an unregulated distributing plant located outside the marketing area from which a daily average of less than 200 pounds of Class I milk is disposed of on marketing area routes is exempt from all but the reporting provisions of the order.

- ** 2. Each handler, except a producer-handler or an exempt handler, who operates an unregulated distributing plant shall make payments pursuant to b. unless he elects to make payments pursuant to a., as follows:

- a. An amount equal to difference between the value of Class I milk disposed of on routes in the marketing area at the Class I price and at the Class II price. And shall pay, at his pro-rata share, administration costs on the same milk.
- b. The amount computed pursuant to a. (except administrative costs) or the following, whichever is less: The difference between the value of milk received from dairy farmers at such plant had the plant been a "regulated plant" and the gross payments made to dairy farmers for milk.

If the handler obligation is pursuant to b., he pays administrative costs computed as if such plant had been a "regulated plant".

3. Handlers operating a plant specified below are exempt from all but the reporting provisions of the order.
 - a. A distributing plant which would be subject to another Federal order unless a greater volume of Class I milk is disposed of on routes in the New Orleans marketing area than in the other marketing area.
 - b. A supply plant which would be subject to another Federal order unless it qualified as "regulated supply plant" in each of the preceding months of September through December.

FEDERAL MILK ORDER NO. 61

Philadelphia, Pennsylvania

* Marketing Area:

All of Delaware County and Philadelphia County (city) and portions of Bucks County, Pennsylvania.

Handler:

Any person wherever located or operating who engages in handling milk which is disposed of in the marketing area as milk or skim milk.

* Regulated Plant: (Defined in the order as a "Producer Milk Plant")

1. A pasteurizing or bottling plant from which milk is disposed of during the month as Class I milk in the marketing area to retail or wholesale outlets (except "regulated plants"); or
2. Any other plant from which milk in the form of Class I products (not including certified milk) is supplied to a plant in 1. (above) any part of which is allocated to Class I milk, except:
 - a. During any of the months of October, November, December and January in which shipments, any part of which are allocated to Class I milk, are made on less than 11 days to such pasteurizing or bottling plant or to a plant (s) supplying such pasteurizing and bottling plant unless such plant was a "regulated plant" in at least four of the preceding months of February through September.

The order provides: in case of a handler with both a pasteurizing and bottling plant and receiving plants, the handler is permitted to qualify his system of supply plants as a unit irrespective as to whether the milk actually moves to the market as Class I milk. The handler is required to advise the market administrator what plants are included in the unit.

Producer:

Any person, except a producer-handler, who produces milk which is received directly at a "regulated plant".

Producer-handler:

Any person who operates as his own personal enterprise both a dairy and a "regulated plant", but receives no milk from other producers. Producer-handlers are exempt from most regulatory provisions of the order but reports may be required by the market administrator.

Classification:

- * Class I Milk - All milk and skim milk (including products used in re-constituting or fortifying a Class I product) and butterfat:
- a. Disposed of in fluid form as milk, skim milk, buttermilk, milk drink drinks (plain or flavored), concentrated milk, or any mixture of milk, cream, or skim milk containing less than 18 percent butterfat (except sterilized products in hermetically sealed containers, ice cream mixes, ice milk mixes, and eggnog).
 - b. Disposed of to retail establishments which dispose of milk both for fluid and other uses.
 - c. Contained in inventory variations of milk and milk products designated as Class I milk; or
 - d. Not accounted for as Class II milk.

Class II Milk - All milk, skim milk or butterfat:

- a. Used to produce any product other than those designated as Class I.
- b. Dumped or disposed of for livestock feed.
- c. Disposed of in bulk and used in bakery, soup, or candy products or any other non-dairy commercial food product.
- d. Contained in inventory variation of cream.
- e. In shrinkage of producer milk up to 2 percent; and in shrinkage of other source milk.

Class Prices (3.7 percent butterfat):

Class I Milk Price - A "formula index" (computed in the month preceding the calendar quarter as set forth in subparagraph a. below) determines the Class I price for each calendar quarter in accordance with the following schedule. The price so determined is increased or decreased by a supply-demand adjustment, if any, resulting from such computation of subparagraph b. (below).

Class Prices (3.7 percent butterfat): - cont'dClass I Price Schedule (price per hundredweight)

Formula Index	: Jan., Feb., March, : July, Aug., Sept.	: April, May, : June	: Oct., Nov., Dec.
116.3 - 120.3	: 3.29	: 2.89	: 3.69
124.1 - 128.1	: 3.49	: 3.09	: 3.89
131.9 - 135.9	: 3.69	: 3.29	: 4.09
139.6 - 143.6	: 3.89	: 3.49	: 4.29
147.4 - 151.4	: 4.09	: 3.69	: 4.49
155.2 - 159.2	: 4.29	: 3.89	: 4.69
163.0 - 167.0	: 4.49	: 4.09	: 4.89
170.8 - 174.8	: 4.69	: 4.29	: 5.09
178.5 - 182.5	: 4.89	: 4.49	: 5.29
186.3 - 190.3	: 5.09	: 4.69	: 5.49
194.1 - 198.1	: 5.29	: 4.89	: 5.69
201.9 - 205.9	: 5.49	: 5.09	: 5.89
209.7 - 213.7	: 5.69	: 5.29	: 6.09
217.5 - 221.5	: 5.89	: 5.49	: 6.29
225.2 - 229.2	: 6.09	: 5.69	: 6.49
233.0 - 237.0	: 6.29	: 5.89	: 6.69
240.8 - 244.8	: 6.49	: 6.09	: 6.89
248.6 - 252.6	: 6.69	: 6.29	: 7.09
256.4 - 260.4	: 6.89	: 6.49	: 7.29

If the index is more than 260.4, the table is extended at the same rate as the three highest index brackets shown above.

a. Formula Index - i.e., the average of five indexes, using a 1936-1940 base period, calculated as follows:

- (1) Index of wholesale commodity prices - The average of such four latest Bureau of Labor Statistics Weekly Indexes divided by 0.5108.
- (2) Index of prices paid for 20 percent protein mixed dairy feed - monthly price per hundredweight paid by Pennsylvania farmers as reported by the Pennsylvania Federal-State Crop Reporting Service divided by 0.01776.
- (3) Index of prices received for all farm products except dairy - monthly prices received by Pennsylvania farmers as published by the Pennsylvania Federal-State Crop Reporting Service on a 1910-14 base divided by 1.0915 and adjusted for seasonal variation by dividing the result by the applicable monthly figure indicated below:

January, February, March . . . \$0.96
 July, August, September . . . \$1.04
 All other months \$1.00

Class Prices (3.7 percent butterfat) - cont'd

- (4) Monthly index of price paid at Midwest condenseries - (See Chicago summary for list) Divide by 0.013945 and adjust for seasonal variation by dividing the result by the applicable figure indicated below:

January	1.02	July	.97
February	1.02	August	1.00
March	1.01	September	1.00
April	.99	October	1.00
May	.98	November	1.02
June	.96	December	1.03

- (5) Index of Class I milk sales - the average daily pounds of Class I milk sales, exclusive of milk moved to plants outside of New Jersey and Delaware from which no routes are operated in the marketing area, divided by 16.640 and adjusted for seasonal variation by dividing the result by the applicable figure indicated below:

January	.98	July	.99
February	.99	August	.99
March	1.00	September	1.04
April	.99	October	1.05
May	.98	November	1.02
June	.98	December	.99

- b. Supply-demand Adjustment - The Class I price determined under paragraph a. (above) is increased or decreased 40 cents respectively for any calendar quarter that the receipts of milk from producers during the 12 month period ending with the second preceding month (excluding receipts at plants which were unregulated plants during 3 consecutive months) are less than 115 percent, or more than 137 percent of total handlers Class I sales during the same period. The supply-demand price adjustment shall not exceed an amount which will result in a Class I price equal to the Class I price for the same quarter of the preceding year plus or minus 80 cents respectively.

Premium for Grade A milk - 40 cents if bacteria count is below 10,000 per c.c.; 25 cents if count is between 10,000 and 25,000. The premium is multiplied by the ratio of Grade A products sold either in fluid form or as products made from Grade A to the total quantity of Grade A milk received.

- * Class II Milk Price - The price per hundredweight for each month is the sum of the butterfat and skim milk values as computed below:

- a. Butterfat value - i.e., Average of weekly prices for the month per 40-quart can of 40 percent cream (bottling quality, not including cream carrying special municipal approval) in the Philadelphia market minus \$2.00 and divided by 9.19. The butterfat value shall not be less than the amount computed from the following:

New York 92-score butter x 1.2 x 3.7 - 18 cents

Class Prices (3.7 percent butterfat) - cont'd

b. Skim milk value -

New York roller-powder - 5 cents x .90 x 7.5

* Butterfat Differentials:

Class I and Class II Price - Butterfat value used in Class II pricing divided by 37.

Producer Price - Same as Class I and II differential.

* Location Differentials:

Class I Price - For producer milk received at a "regulated plant" located 45 miles from the Philadelphia City Hall and classified as Class I, the price is reduced 23 cents plus one and one-half cent for each additional 10 miles, or fraction thereof, such plant is located from the Philadelphia City Hall.

Class II Price - For producer milk received at a "regulated plant" located 45-70 miles from the Philadelphia City Hall and classified as Class II milk the price is reduced 5 cents plus one cent for each additional 70 miles such plant is located from Philadelphia City Hall.

Producer Price - The uniform price for producer milk received at "regulated plants" located 45 miles from Philadelphia City Hall is reduced at the same rate as for Class I milk.

Method of Accounting for Milk:

Skim milk and butterfat are accounted for separately.

Type of Pool:

Individual handler, monthly pool without base rating plan or fall premium plan.

Interhandler Transfers:

Milk and skim milk containing less than 18 percent butterfat is classified as Class I when transferred in the form of Class I products to the "regulated plant" of another handler unless utilization as Class II is claimed in the reports of both handlers. The amount so assigned to Class II is limited to the amounts remaining in Class II in the plant of the transferee-handler after allocation of receipts from plants subject to other Federal orders. If either or both handlers have received other source milk the transferred amounts are allocated at both plants so as to allocate the greatest possible Class I utilization to producer milk of both handlers.

Class I products transferred to a producer-handler are classified as Class I. Receipts from producer-handlers are classified as Class II.

Interhandler Transfers - cont'd

Cream containing more than 18 percent butterfat transferred to the "regulated plant" of another handler is classified as Class II to the extent Class II is available after allocation of receipts from plants regulated under other Federal orders.

Outside Sales:

Milk sold outside the marketing area is priced the same as milk sold within the marketing area except for Class I milk disposed of in the New York-New Jersey marketing area which is priced at the Class I-A price under the New York-New Jersey order less any payment required on such milk under the New York-New Jersey order.

Cream containing more than 18 percent butterfat is classified as Class II if transferred to an unregulated plant.

Milk and skim milk, in bulk, containing less than 18 percent butterfat transferred to an unregulated plant is classified as Class I unless the handler claims Class II utilization, records of utilization are maintained at the unregulated plant which are available for verification, and not less than an equivalent amount of milk and skim milk was utilized as Class II in the buyer's plant.

* Outside Purchases:

1. Other source milk is allocated as shown below, after subtraction of shrinkage in producer milk and receipts from producer-handlers from Class II and receipts in packaged form of certified milk from Class I:
 - a. Cream containing 18 percent or more butterfat and milk or skim milk equivalent of such receipts of concentrated and dried milk and skim milk utilized in a reconstituted or fortified product and other Class II products which are reprocessed during the month are subtracted from each class, in sequence, beginning with Class II.
 - b. Class I products received (except from plants subject to other Federal orders) are subtracted from Class II. If, during the months of October through January, such receipts exceed the amounts remaining in Class II the excess is subtracted from Class I.
 - c. Class I products received from plants subject to other Federal orders are subtracted, in sequence, beginning with Class II.

* Expense of Administration:

Handlers pay administrative costs not to exceed 2 cents per hundredweight on all receipts of producer milk (including own production) and other source milk classified as Class I.

Special Producer Provisions:

No marketing service provision.

Special Handler Provisions:

1. The value of milk of each handler used in computation of uniform price is increased 40 cents per hundredweight of milk sold by the handler as Grade A which is in excess of the milk received from designated producers for whom laboratory records are maintained qualifying such producers for premiums paid for Grade A milk.
- * 2. Plants specified below are exempt from the Philadelphia order except for reports, and verification of such reports, as are required by the market administrator:
 - a. Any distributing or supply plant which disposes of milk in the marketing area but which is fully regulated under the New York-New Jersey order.
 - b. Any other distributing plant which would be subject to the classification and pricing provisions of another order unless such plant disposes of a greater volume of Class I milk to retail and wholesale outlets (except "regulated plants") in the Philadelphia marketing area than in the other marketing area.
 - c. Any other supply plant which would be subject to the classification and pricing provisions of another Federal order unless such plant disposes of a greater volume of Class I milk to "regulated plants" under the Philadelphia order than plants distributing in the other market area.

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FEDERAL MILK ORDER NO. 17

Black Hills, South Dakota

* Marketing Area:

The counties of Custer, Fall River, Lawrence and Pennington; the cities of Belle Fourche and Sturgis; the Ellsworth Air Force Base; and the Veterans' Administration Hospital at Fort Meade, all in the State of South Dakota.

* Handler:

1. Any person in his capacity as operator of one or more distributing or supply plants.

Distributing plant - A plant which is approved by an appropriate health authority for the processing or packaging of Grade A milk and from which any fluid milk product is disposed of during the month on route (including vendor routes) or through plant stores to retail or wholesale outlets (except "regulated plants") in the marketing area.

Supply plant - A plant from which milk, skim milk, or cream acceptable to the appropriate health authority for marketing area distribution under a Grade A label is shipped to a "regulated distributing plant".

2. A cooperative association with respect to producer milk diverted by it, for its account, from a "regulated plant" to an unregulated plant.

Regulated Plant: (Defined in the order as a pool plant)

1. A distributing plant from which Class I milk equal to not less than 20 percent of its Grade A milk receipts from producers and other plants is disposed of on routes (includes vendor routes) or through plant stores to retail or wholesale outlets (except "regulated plants") in the marketing area.
2. A supply plant, which ships, during the month, fluid milk products equal to not less than 50 percent of its Grade A milk received from dairy farmers to "regulated distributing plants".

If such shipments are not less than 50 percent of such receipts during the immediately preceding period of September through November, the supply plant is a "regulated plant" for the months of March through June, unless the operator requests unregulated plant status.

Producer:

An approved dairy farmer whose milk is received at a "regulated plant". Approved dairy farmer means any person except a producer-handler, who produces milk in compliance with the Grade A inspection requirements of a duly constituted health authority which milk is received at an approved plant (i.e. a "regulated plant" or a distributing plant) or diverted from such plant for the account of either the operator of the plant or a cooperative association.

Producer-Handler:

Any person who operates a dairy farm and a distributing plant but who receives no milk from other dairy farmers. Producer-handlers are exempt from certain provisions of the order but reports may be required by the market administrator.

Classification:

Class I Milk - All skim milk (including concentrated and reconstituted skim milk) and butterfat:

- a. Disposed of in the form of a fluid milk product (except that in b. and c. under Class II milk).
- b. Not accounted for as Class II milk.

Fluid milk product - i.e., milk, skim milk, buttermilk, milk drinks (plain or flavored), cream or any fluid mixture of milk, skim milk and cream (except ice cream mix, evaporated or condensed skim milk, and sterilized products in hermetically sealed containers).

Class II Milk: All skim milk and butterfat:

- a. Used to produce any product other than a fluid milk product.
- b. Disposed of and used for livestock feed.
- c. Skim milk dumped, subject to prior notification to, and possible verification by, the market administrator.
- d. Month-end inventory of fluid milk products.
- e. In shrinkage not to exceed 2 percent of receipts from approved dairy farmers at approved plants.
- f. In shrinkage of other source milk.

Class Prices (3.5 percent butterfat):

Basic Formula Price - The highest of a. or b. following:

- a. The average of prices reported paid for milk of 3.5 percent butterfat at specified Midwest condenseries (see Chicago summary for list).
- b. $(\text{Chicago 92-score butter} - 6.5¢ \times 4.2) +$
 $(\text{Chicago spray-roller powder} - 6.5¢ \times 7.913)$

Class I Milk Price - The basic formula price for the preceding month plus \$2.15.

Class II Milk Price - The price computed pursuant to b. under Basic Formula Price

Butterfat Differentials:

Class I Price - Class II differential for preceding month + 4.3¢

Class II Price - Chicago 92-score butter - 6.5¢ x 0.120.

Producer Price - Chicago 92-score butter x 0.120.

** Location Differentials:

Class I Price - For milk received from approved dairy farmers at an approved plant located 100 miles or more from the nearer of the Post Offices of Rapid City, Lead, Hot Springs or Custer, South Dakota, and classified as Class I, the price is reduced by 15 cents for the first 110 miles or less, and by 1.5 cents for each additional 10 miles or fraction thereof.

Class II Price - None

Producer Price - The uniform price paid to producers for milk received at a "regulated plant" located 100 miles or more from the Post Offices of Rapid City, Lead, Hot Springs and Custer, is reduced at the same rate as the Class I price.

Method of Accounting for Milk:

Skim milk and butterfat are accounted for separately.

Type of Pool:

Market-wide, monthly pool with base rating plan; no fall premium plan.

Interhandler Transfers:

Fluid milk products transferred to a producer-handler are classified as Class I.

Transfers from an approved plant (i.e., a "regulated plant" or a distributing plant) in the form of fluid milk products are classified as Class I unless Class II utilization is reported for both plants. The amount assigned to Class II is limited to that remaining in Class II at the plant of the transferee after deduction of other source milk not subject to another Federal order. If the transferor plant is an unregulated plant the transferred amounts are assigned to Class I and Class II in the same ratio as other source milk not subject to another Federal order is assigned.

Outside Purchases:

Other source milk is subtracted in series, from Class II after deduction for shrinkage, as follows:

- a. That received in the form of fluid milk products which were not subject to the Class I pricing provisions of another Federal order.
- b. That in a form other than fluid milk products; and
- c. That received in the form of fluid milk products which were subject to the Class I pricing provisions of another Federal order.

Compensatory payments - are required on unpriced other source milk allocated to Class I. The rate, per hundredweight, is the difference between the Class I price adjusted by the Class I butterfat and location differentials and during April, May and June--the Class II price adjusted by the Class II differential; during July through March--the uniform price (or uniform base milk price) adjusted by the Class I butterfat differential.

Outside Sales:

Transfers to an unregulated plant in the form of a fluid milk product in bulk are classified as Class I unless the transferring handler claims Class II classification in his reports; the operator of the unregulated plant maintains records of receipt and utilization which are available for possible verification; and an amount equivalent to that transferred was used in the indicated utilization at the unregulated plant.

Expense of Administration:

Handlers pay administrative costs not to exceed 5 cents per hundredweight with respect to: producer milk received at a "regulated plant"; other source milk allocated to Class I; and Class I milk disposed of in the marketing area (except to "regulated plants") from an unregulated plant.

Special Producer Provisions:Marketing Service - None

- * Base Rating - A base rating plan subject to the rules set forth in the order applies January through June with the base of each producer who delivered milk at least 120 days in the previous July through December computed by dividing his total deliveries by the number of days of delivery (i.e., days of production represented by his deliveries). For any producer for whom a base is not established, or for any producer who elects to relinquish his established base, a base is computed by multiplying his average daily delivery during each month by the following percentages: January and February-60; March and April-50; May and June-40.

Transfer of Base - An entire base may be transferred in the event of death, retirement, or entry into the military service of a producer, to the member of the producer's immediate family who carries on the dairy operation. A base held jointly may be transferred to one of the joint holders when such joint holding is terminated.

Special Handler Provisions:

1. Plants subject to other Federal orders are not subject to the Black Hills order except for reports requested by the market administrator unless such plant qualifies as a "regulated plant" under this order and disposes of a greater volume of fluid milk products in the Black Hills marketing area than in the marketing area of the other Federal order.
2. Handlers who operate unregulated plants pay into the producer-settlement fund either of the following:
 - a. Any plus amount resulting from subtracting the actual payments to approved dairy farmers at the plant from a blend price computed for the plant (sec. 917.70).
 - b. If payments are not made pursuant to a. an amount equal to the difference in value at the Class I and the Class II price of the milk disposed of as Class I from such plant to retail or wholesale outlets (including vendor and plant store sales) in the marketing area.

FEDERAL MILK ORDER NO. 78

Nashville, Tennessee

* Marketing Area:

All the territory within the counties of Cheatham, Davidson, and Rutherford in the State of Tennessee.

Handler:

Any person in his capacity as operator of one or more "regulated plants"

A cooperative association, with respect to producer milk diverted by it, for its account, from a "regulated plant" to an unregulated plant.

Regulated Plant: (Defined in the order as a fluid milk plant)

Any milk receiving, processing or packaging plant from which:

- a. Any fluid milk product is disposed of on routes (including vendor and plant store sales) to retail or wholesale outlets (except "regulated plants") in the marketing area.
- b. Grade A milk or skim milk is shipped during the month for any of the months of January through August to a plant specified in a. (above), except to any portion of such plant not qualified to dispose of milk under Grade A label.
- c. A quantity of Grade A milk or skim milk equal to more than 70,000 pounds is shipped during the month for any of the months of September through December to a plant specified in a. (above), except to any portion of such plant not qualified to dispose of milk under a Grade A label.

* Producer:

Any person except a producer-handler, who produces milk in compliance with the Grade A inspection requirements of a duly constituted health authority, or producer milk acceptable for fluid consumption at Federal, State or municipal establishments within the marketing area, which milk is received at a "regulated plant" or diverted, for his account, by a handler, to an unregulated plant (except a plant subject to another Federal order).

Producer-Handler:

Any person who produces Grade A milk under a dairy farm inspection permit issued by a duly constituted health authority and who processes milk of his own production, all or a portion of which is disposed of as Class I within the marketing area. Producer-handlers are exempt from all provisions of the order but reports may be required by the market administrator.

Classification:Class I Milk - All skim milk and butterfat:

- a. Disposed of in the form of a fluid milk product, except those in c. under Class II milk.

Fluid Milk product - means milk, skim milk, buttermilk, flavored milk or milk drinks, yogurt, cream or any mixture in fluid form of milk, skim milk and cream (except sterilized products in hermetically sealed containers, eggnog, ice cream mix and aerated cream).

- b. Not specifically accounted for as Class II milk.

Class II Milk - All skim milk and butterfat:

- a. Used to produce any product other than a fluid milk product.
- b. In month-end inventory of fluid milk products.
- * c. Disposed of and used for livestock feed, and skim milk dumped after prior notification to, and opportunity for verification by the market administrator.
- d. In shrinkage not to exceed 2 percent respectively of the skim milk and butterfat in producer milk (except diverted milk) and in other source milk.

Class Prices (4.0 percent butterfat):

Basic Formula Price - A basic formula price is used in determining the Class I price and is the highest of the following:

- a. Average of prices reported paid for 3.5 percent milk during the month at specified Midwest condenseries (see Chicago summary for list) adjusted to 4.0 percent butterfat by adding an amount , computed by multiplying the producer butterfat differential by 5.
- b. (Chicago 92-score butter x 4.0 x 1.20) +
(Chicago area spray-roller powder - 5 cents x 7.5)

Class Prices (4.0 percent butterfat)Basic Formula Price - cont'd

- c. Average of prices paid for 4.0 percent milk received from farmers during the month at the following milk plants:

Cudahy Packing Company	Lafayette, Tennessee
Carnation Company	Murfreesboro, Tennessee
Kraft Foods Company	Gallatin, Tennessee
Kraft Foods Company	Pulaski, Tennessee
Borden Company	Fayetteville, Tennessee
Borden Company	Lewisburg, Tennessee
Lakeshire-Marty Cheese Co.	Carthage, Tennessee
Swift and Company	Lawrenceburg, Tennessee
Summer County Coop. Creamery	Gallatin, Tennessee
Wilson and Company	Murfreesboro, Tennessee

- d.
$$\frac{(\text{Chi. 92-score butter} \times 6) + (\text{Wis. Ch. Ex. Cheddars} \times 2.4 \times 1.3 \times 4)}{7}$$

Class I Milk Price - To the Basic Formula price add the following:

August through January	\$1.40
All other months	\$1.10

To this price add or subtract a supply-demand adjustment of not more than 50 cents calculated for each month as follows:

Supply-demand Adjustment - A utilization ratio is computed by calculating the percentage which the total volume of producer receipts at all "regulated plants" is of the net pounds of Class I milk disposed of from all "regulated plants" during the twelve month period ending with the beginning of the preceding month; and then adding or subtracting respectively to such percentage any amount such percentage is greater or less than a comparable percentage calculated for the twelve month period ending with the beginning of the fourth preceding month. "Regulated plants" which during the second preceding month did not dispose of at least an average of 1,000 pounds per day of fluid milk products on routes in the marketing area are excluded from the supply-demand computation.

For each percentage by which the utilization ratio exceeds 130, subtract from, and for each percentage by which it is less than 125, add to, the Class I price, 2 cents.

- * Class II Milk Price - The price pursuant to c. (Local Plants) under Basic Formula Price plus 25 cents during February through August and plus 35 cents in all other months. Such price shall not exceed the basic formula price.

Butterfat Differentials:

Class I Price - Chicago 92-score butter (previous month) x 0.12.

Class II Price - Chicago 92-score butter (current month) x 0.115.

Producer Price - Chicago 92-score butter (current month) x 0.12.

Location Differentials:

Class I Price - For producer milk received at a "regulated plant" located outside the marketing area and 50 miles or more from the State Capitol, Nashville, which is transferred in the form of fluid milk products to another "regulated plant" and assigned to Class I or otherwise classified as Class I, the price is reduced 10.0 cents at plants located not more than 60 miles distant and for each additional 10 miles or fraction thereof, an additional 1.5 cents.

FEDERAL MILK ORDER NO. 88

Knoxville, Tennessee

Marketing Area:

Knox County including the City of Knoxville; the cities of Alcoa and Marysville in Blount County, and that part of Oak Ridge in Anderson County, all in the State of Tennessee.

Handler:

1. Any person in his capacity as operator of an approved plant.

Approved plant - i.e., Any milk processing or packaging plant from which Grade A milk or skim milk is shipped during the month to a "regulated plant" or from which Class I milk is disposed on routes (includes vendors and plant store sales) in the marketing area.

2. A producer-handler.
3. A cooperative association with respect to milk diverted for its account pursuant to the conditions under the Producer heading.

Regulated Plant: (Defined in the order as a pool plant)

1. An approved plant which disposes of at least 50 percent of its receipts from producers and other "regulated plants" on routes (includes vendors) through retail or wholesale outlets (includes plant stores) and not less than 15 percent of such receipts are so disposed of in the marketing area.
2. An approved plant from which 50 percent of its producer receipts are shipped as milk, skim milk, or cream to a plant qualified pursuant to 1. and classified as Class I. If such shipments are not less than 65 percent of producer receipts in each of the preceding months of August through February such plant may, upon application, be designated a "regulated plant" for the months of March through July.

Producer:

Any person, other than a producer-handler, who produces milk in compliance with the Grade A requirements of a duly constituted health authority which milk is received at a "regulated plant" or diverted to an unregulated plant for a handler's account any day during March through August or on not more than 10 days in any other month.

Producer-handler:

Any person who produces milk under a Grade A inspection permit, processes milk of his own production and disposes of all or a portion of such milk as Class I in the marketing area but receives no milk from producers. Producer-handlers are exempt from most provisions of the order but reports may be required by the market administrator.

Classification:* C.* Class I Milk - All skim milk and butterfat:

- a. Disposed of in fluid form (except livestock feed) as milk, skim milk, buttermilk, flavored milk or milk drinks, cream, and any cream product except frozen cream and ice cream mix.
- b. In inventory of products designated as Class I in a. above.
- c. Not accounted for as Class II milk.

Class II Milk - All skim milk and butterfat:

- a. Used to produce any product not specified as Class I.
- * b. Disposed of and used for livestock feed, or skim milk dumped subject to prior notification to, and verification by, the market administrator.
- c. In shrinkage of producer milk not to exceed 2.5 percent and in shrinkage of other source milk.

Class Prices (4.0 percent butterfat):

Basic Formula Price - The basic formula price used in determining the Class I price is the highest of:

- a. The average of monthly prices reported for milk of 3.5 percent butterfat at specified Midwest Condenseries (see Chicago summary for list), plus an amount computed by multiplying the producer butterfat differential by 5.
- b.
$$\frac{(\text{Chi 92-score butter} \times 6) + (\text{Wis Ch Ex Chedd} \times 2.4 \times 1.3 \times 4)}{7}$$
- * c.
$$(\text{Chicago 92-score butter} \times 4.0 \times 1.2) +$$

$$(\text{Chicago area spray-roller powder} \times 7.5)$$
- d. The Class II price.

Class I Milk Price - The basic formula price for the preceding month plus \$1.50 plus or minus a supply-demand adjustment of not more than 50¢.

- * Supply-demand adjustment - Determination is made of the percentage that the total hundredweight of producer milk for the first and second preceding months is of the total hundredweight of Class I milk disposed of from all "regulated plants" for the same month. The Class I price is decreased or increased at the rate of 2 cents for each percentage the computed percentage is above the higher figure or below the lower figure of the base utilization range in the following schedule:

Class I Milk Price - cont'd

<u>Pricing Month</u>	<u>Base Range</u>	<u>Pricing Month</u>	<u>Base Range</u>
January	114-118	July	130-134
February	114-118	August	124-128
March	114-118	September	116-120
April	115-119	October	112-116
May	124-128	November	110-114
June	131-135	December	114-118

- * Class II Milk Price - Average of prices paid for milk of 4.0 percent butterfat milk at the following plants, plus 10 cents during the months March through August; and plus 25 cents in all other months. Such price shall not be higher than the basic formula price.

Pet Milk Company	Bowling Green, Kentucky
Pet Milk Company	Greeneville, Tennessee
Pet Milk Company	Abingdon, Virginia
Carnation Company	Murfreesboro, Tennessee
Carnation Company	Statesville, North Carolina
Carnation Company	Galax, Virginia
Borden Company	Lewisburg, Tennessee
Borden Company	Chester, South Carolina
Kraft Company	Greenville, Tennessee

Butterfat Differentials:

Class I Price - Chicago 92-score butter x 0.13

Class II Price - Chicago 92-score butter x 0.115 - not to be more than the Class II milk price divided by 40.

Producer Price - Chicago 92-score butter x 0.12.

Location Differentials:

Class I Price - With respect to producer milk received at a "regulated plant" 50 miles or more from Knoxville City Hall which is transferred as Class I to another "regulated plant" where it is assigned to Class I, the price is reduced 15 cents at plants located less than 60 miles distant, plus 1.5 cents for each additional 10 miles or fraction thereof.

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Class II Price - None

Producer Price - The uniform price and the uniform price for base milk is reduced in accordance with the same schedule as set forth for Class I milk when received from producers at "regulated plants" located 60 miles or more from Knoxville City Hall.

Method of Accounting for Milk:

Skim milk and butterfat are accounted for separately.

Type of Pool:

Market wide, monthly pool with base rating plan, no fall premium plan.

Interhandler Transfers:

Class I products transferred from a "regulated plant" to the "regulated plant" of another handler are classified as Class I unless both handlers report utilization as Class II; the amount classified as Class II is limited to the amounts remaining in Class II in the plant of the transferor-handler after subtraction of other source milk. If either or both handlers have received other source milk the amounts transferred are classified at both plants so as to allocate the greatest possible Class I use to producer milk.

Class I products transferred to the plant of a producer-handler are classified as Class I.

Outside Purchases:

Other source milk is subtracted from Class II after deduction of producer shrinkage and amounts greater than that in Class II are subtracted from Class I. Other source milk subject to the Class I pricing provisions of another Federal order is subtracted after subtraction of milk not so subject.

Compensatory payments - are required on other source milk not subject to another Federal order subtracted from Class I are the following rates, adjusted when required by a location differential applicable to the nearest unregulated plant from which an equivalent amount of other source milk was received.

- a. March through July - The difference between the Class I price, adjusted by the Class I butterfat and location differentials, and the Class II price adjusted by the Class II butterfat differential.
- b. August through February - the Difference between the Class I price and the uniform price.

Outside Sales:

Milk, skim milk, or cream transferred to an unregulated plant is classified as Class I unless:

- a. The transferring handler claims Class II utilization in his reports.
- b. The buyer maintains records available for verification and an amount equivalent to that transferred was used in Class II.

If the receiving unregulated plant disposed of cream to another unregulated plant which meets the requirements of a. and b. (above) such cream may be classified as Class II.

Expense of Administration:

Handlers pay administrative costs not to exceed 4 cents per hundredweight with respect to producer milk (including handler's own production); other source milk at handler's "regulated plants"; and Class I milk disposed of in the marketing area (except to "regulated plants") from unregulated plants not subject to another Federal order.

Special Producer Provisions:

Marketing Service - Deductions as authorized by members are turned over to cooperative associations; a marketing service charge not to exceed 6 cents per hundredweight is deducted from non-members.

Base Rating - A base rating plan, subject to the rules set forth in the order, applies April through August with basis determined by the daily average deliveries in the preceding September through February period (using not less than 120 days to compute the average).

Transfer of Base - A base may be transferred by notifying the market administrator. With the termination of a joint holding any joint holder may transfer his portion of the base.

Special Handler Provisions:

1. Operators of plant which are subject to another Federal order are not subject to the Knoxville order except for such reports as may be required unless such plant qualified under the "regulated plant" heading:
 - a. Pursuant to 1. and disposed of a greater volume of Class I milk on routes in the Knoxville area than in the other marketing areas as determined by the Secretary.
 - b. Pursuant to 2. and qualified as a "regulated plant" in the preceding August through February period.
2. Compensatory payments - are required of handlers who operate unregulated plants not subject to another Federal order with respect to Class I sales in the marketing area at the rate set forth under, "Outside Purchases".

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Regulated Plant - cont'd

2. A city plant - (i.e., a plant located within 10 miles of the boundary of the marketing area) is considered to be a "regulated plant" any month in which it meets the requirements of paragraph 1 (above) and:
 - a. At least 10 percent of its total receipts of fluid milk products 2/ other than cream is disposed of as Class I milk in the marketing area; or
 - b. Such plant is operated by an association of producers.
3. A country plant - (i.e., a plant located beyond 10 miles of the boundary of the marketing area) is considered to be a "regulated plant" any month in which it meets the requirements of paragraph 1 (above) and from which plant more than 30 percent of its receipts of fluid milk products except cream is:
 - a. Disposed of as Class I milk directly to consumers in the marketing area, or
 - b. Shipped as milk to city plants at which more than 50 percent of the total receipts of fluid milk products except cream is disposed of as Class I milk.
4. Any country plant which meets the "regulated plant" requirements continuously in each of the months of October through February under this order and which is a "regulated plant" in the same period under the Boston, Merrimack Valley, or Worcester orders may, upon proper application, be designated a "regulated plant" continuously for the following months of March through September regardless of the quantity then disposed of in the marketing area.

Producer:

Any dairy farmer whose milk is delivered from his farm to a "regulated plant", or whose milk which is ordinarily delivered to a "regulated plant" is diverted from such plant for the handler's account.

This definition does not include a "dairy farmer for other markets;" 3/ a producer-handler, a dairy farmer with respect to exempt milk delivered; or a dairy farmer who is a producer under the Boston, Merrimack Valley or Worcester orders and whose milk is diverted from the plant subject to the other order to which such dairy farmer ordinarily delivers.

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- * 3/ Dairy farmers for other markets - i.e., a person whose milk is received at a "regulated plant" during the months of March through September and who delivered unpriced milk to such plant (except under certain conditions as specified in the order) during any of the preceding months of October through February; or a person whose milk is purchased from him by an unregulated dealer but moves directly from the farm to an "unregulated plant" or a person whose milk is received at the "regulated plant" if milk from the same farm was moved as unpriced milk, during the month, to an unregulated plant of the same handler.

Regulated Plant - cont'd

2. A city plant - (i.e., a plant located within 10 miles of the boundary of the marketing area) is considered to be a "regulated plant" any month in which it meets the requirements of paragraph 1 (above) and:
 - a. At least 10 percent of its total receipts of fluid milk products 2/ other than cream is disposed of as Class I milk in the marketing area; or
 - b. Such plant is operated by an association of producers.
3. A country plant - (i.e., a plant located beyond 10 miles of the boundary of the marketing area) is a "regulated plant" any month in which it meets the requirements of paragraph 1 (above) and; from which plant, more than 50 percent of its receipts of fluid milk products except cream is:
 - a. Disposed of as Class I milk directly to consumers in the marketing area, or
 - b. Shipped as milk to city plants at which more than 50 percent of the total receipts of fluid milk products except cream is disposed of as Class I milk.
4. Any country plant which meets the "regulated plant" requirements under this order is a "regulated plant" under this or the Boston order continuously in each of the months from October through February, may, upon proper application, be designated a "regulated plant" continuously for the following months of March through September regardless of the quality then disposed of in the marketing area.

Producer:

Any dairy farmer whose milk is delivered from his farm to a "regulated plant", or whose milk which is ordinarily delivered to a "regulated plant" is diverted from such plant for the handlers account.

This definition does not include a "dairy farmer for other markets" 3/; a dairy farmer with respect to exempt milk delivered; a producer-handler; or a dairy farmer who is a producer under the Boston, Merrimack Valley, or Springfield order and whose milk is diverted from the plant subject to the other order to which such dairy farmer ordinarily delivers.

- * 3/ Dairy farmer for other markets - i.e., a person whose milk is received at a "regulated plant" during the months from March through September and who delivered unpriced milk to such plant (except under certain conditions as specified in the order) during any of the preceding months from October through February; or a person whose milk is purchased from him by an unregulated dealer but moves directly from the farm to a "regulated plant" or a person whose milk is received at the "regulated plant" of a handler who also operates unregulated plants if milk from the same farm was moved as unpriced milk to the unregulated plant of the same handler during the month.

FEDERAL MILK ORDER NO. 82

Central West Texas

* Marketing Area:

All the territory within the limits of Abilene Air Force Base and all the territory within the corporate limits of 32 cities and towns; all in the State of Texas. The principal cities in the marketing area are Abilene, San Angelo, and Odessa.

* Handler:

1. Any person who operates a "regulated plant".
2. Any person who operates an unregulated plant from which Class I milk is disposed of during the month on a route in the marketing area.
3. A cooperative association with respect to producer milk caused to be delivered for its account direct from the farm in a tank truck(s) owned or operated by it to "regulated plants" described in 1. (a) or 2. under "regulated plant" heading.
4. A cooperative association with respect to producer milk diverted by it, for its account from a "regulated plant" to an unregulated plant.

Regulated Plant: (Defined in the order as an approved plant)

1. A milk plant approved by and under the routine inspection of the health authority of any municipality in the marketing area:
 - a. From which Class I milk labeled Grade A in consumer packages is disposed of on routes in the marketing area.
 - b. Which receives milk from producers and acts as a receiving station and from which milk and skim milk is moved to a plant specified in a. during the month or was moved to such a plant (s) in amounts equal to 60 percent or more of the receipts from producers during October through January immediately preceding any month of April, May, or June during which no milk is so moved.
2. A milk plant approved by and under the routine inspection of a health authority other than that of a municipality in the marketing area from which Class I milk labeled Grade A in consumer packages is disposed of in the marketing area on a route operated wholly or partially in the market marketing area in an amount equal to 15 percent or more of the total Class I disposition of such plant during the month.

Producer:

Any person, other than a producer-handler, who produces milk under a dairy farm permit or rating issued by:

- a. A health authority of any municipality in the marketing area which milk is received at a "regulated plant" also approved by a health authority in the marketing area.
- b. A health authority whose certification is accepted by a marketing area health authority and such milk is received at a "regulated plant" approved by a similar health authority.

Producer-handler:

Any person who produces milk and operates a "regulated plant" but receives no milk other than from his own production and from "regulated plants". Producer-handlers are exempt from all but certain reporting provisions of the order.

Classification:

Class I Milk - All skim milk (including reconstituted skim milk) and butterfat:

- a. Disposed of in the form of milk, skim milk, buttermilk, flavored milk drinks, cream, cultured sour cream, any mixture of cream and milk or skim milk (except eggnog, aerated cream products and mixes for ice cream or other frozen dairy products).
- b. Not accounted for as Class II.

Class II Milk - All skim milk and butterfat:

- a. Used to produce any product other than those specified as Class I.
- b. Disposed of for livestock feed.
- c. In shrinkage of other source milk and in shrinkage up to 2 percent of producer receipts. (5 percent with respect to skim milk receipts during the months of April, May and June).
- d. In inventory at the end of the month of Class I products.

** Class II-A Milk - is all skim milk and butterfat used to produce Cheddar cheese during the months February through July.

Class Prices (4.0 percent butterfat:

Class I Milk Price - Class I price for the North Texas marketing area plus 25 cents.

* Class II Milk Price - April through June - The price pursuant to a. below; all other months - the higher of a. and b. below:

a. The average of prices reported paid for milk of 4.0 percent butterfat content received at:

Carnation Company
The Borden Company
Lamar Creamery

Sulphur Springs, Texas
Mount Pleasant, Texas
Paris, Texas

b. (Chicago 92-score butter - 3 cents x 1.2 x 4.0) +

(Chicago area spray-roller powder - 5.5 cents x 8.5 x 0.96)

Class II-A Milk Price - February through July

Wisconsin Primary Market Cheddars x 8.4.

Butterfat Differentials:

Class I Price - Chicago 92-score butter for preceding months x 0.125.

* Class II and II-A Price

March through June - Chicago 92-score butter for the current month x 0.110.

All other months - Chicago 92-score butter for the current month x 0.115.

Producer Price - Chicago 92-score butter for the current month x 0.12.

Location Differentials:

Class I Price - With respect to milk received at "regulated plants" located within 70 miles of Midland, Texas, such price shall be increased 15 cents per hundredweight.

At "regulated plants" east of the 103rd principal meridian, and over 180 miles from Midland, Texas, the price is reduced by 20 cents if the plant is more than 70 miles but less than 105 miles from Abilene, Texas, and reduced by 25 cents if located 105 miles or more from Abilene, Texas.

Class II Price - None

Location Differentials - cont'd

Producer Price - The uniform price and uniform price for base milk are adjusted on the same basis as the price for Class I milk. The location adjustment applicable to excess milk is computed by subtracting from the total volume of Class I milk allocated to producer milk the total volume of base milk received for all handlers; dividing the result by the total volume of excess milk; and multiplying the result by the same rate of location adjustment applicable for base milk received at the same location.

Method of Accounting for Milk:

Weights of skim milk and butterfat are accounted for separately.

Type of Pool:

Market-wide, monthly pool with base-rating plan; no fall premium plan.

Interhandler Transfers:

Skim milk or butterfat transferred or diverted from a "regulated plant".

- a. To a producer-handler is classified as Class I if transferred in the form of milk, skim milk, or cream.
- b. To another "regulated plant" is classified as Class I or as mutually indicated, in writing, provided that the receiving handler has utilization of an equivalent amount of skim milk and butterfat in such class and the milk so transferred is classified to give producer milk the greatest possible Class I utilization at both plants.

* Outside Purchases:

Other source milk is subtracted, in series, beginning with the lowest priced class after subtraction of producer milk shrinkage, as follows:

- a. That received in a form other than milk, skim milk, or cream.
- b. That received in the form of Class I items.

Compensatory payments - are required, on any other source milk subtracted from Class I pursuant to a. above, equal to the value of such milk computed at the difference between the Class I and the Class II price.

Outside Sales:

Milk or skim milk transferred or diverted from a "regulated plant" to an unregulated plant located more than 300 miles distant is classified as Class I, and cream certified as Grade A so transferred is classified as Class I, or as Class II if transferred without Grade A certification.

Milk, skim milk or cream transferred or diverted to an unregulated plant located not more than 300 miles distant is classified as:

- * a. Class II if the transferee plant has no route disposition of fluid milk; or as Class II-A during February through July if the unregulated plant manufactures Cheddar cheese.

Outside Sales - cont'd

- b. Class I if moved in bulk and such unregulated plant disposes of fluid milk on wholesale or retail routes except that if such transferee plant maintains records available for audit, and the plant receives milk from dairy farmers determined to constitute such plants regular source of supply of Class I milk, the milk so moved may be allocated to the highest use class remaining after subtraction in series, beginning with Class I, the receipts at the unregulated plant directly from dairy farmers.

Expense of Administration:

Each handler pays administrative costs not to exceed 4 cents per hundred-weight on milk received from producers (including handlers own production) other source milk allocated to Class I, and milk received from a cooperative in its capacity as a handler.

Special Producer Provisions:

Marketing Service - Deductions, as authorized by members, are turned over to cooperative associations. A marketing service charge not to exceed 5 cents per hundredweight is deducted for nonmembers.

Base Rating - A "base rating" plan subject to the rules set forth in the order applies March through June with the base determined by calculating the daily average deliveries (using not less than 112 days to compute the average) made by such producer to handler(s) during the immediately preceding months of September through December.

Transfer of Base - Transfer of an entire base may be made to any person upon proper application to the market administrator. If a base is held jointly such application must be signed by all joint holders.

* Special Handler Provisions:

1. Any handler operating a plant which disposes of a greater quantity of Class I milk in the marketing area of another Federal order is not subject to regulation under the Central West Texas order except for reports and subsequent verification as may be required by the market administrator.
2. Any handler who operates an unregulated plant not subject to another Federal order who disposes of Class I milk on routes located wholly or partially in the marketing area shall make payments into the producer-settlement fund on: either or all skim milk and butterfat disposed of as Class I on such routes; or, only on skim milk and butterfat disposed of on routes within the marketing area (if sufficient records are maintained and are available). These payments will be the plus difference between:
 - a. Class I price that would be applicable to a "regulated plant" thus located, and
 - b. The price actually paid to dairy farmers by the handler at the unregulated plant, adjusted to the average butterfat test of the Class I milk so disposed.

Such handler also shall pay, at his pro-rata share, administrative costs on all Class I milk disposed of on routes in the marketing area.

Producer-handler - cont'd

- b. Disposes of fluid milk products on routes 1/ in the marketing area.
- c. The butterfat and skim milk disposed of in fluid milk products does not exceed the amounts received from his own dairy farm and from "regulated plants" in the form of fluid milk products.

Producer-handlers are exempt from certain provisions of the order but reports may be requested by the market administrator.

Classification:

Class I Milk - All skim milk (including concentrated and reconstituted skim milk) and butterfat:

- a. Disposed of in the form of fluid milk products except those in b. under Class II.

Fluid milk products - Fluid milk product means milk, skim milk, buttermilk, milk drinks (plain or flavored), cream (except frozen or aerated cream), and any mixture in fluid form, cream and milk or skim milk (except ice cream, eggnog, ice cream mixes, and sterilized products in hermetically sealed containers.)

- b. Not specifically accounted for as Class II.

Class II Milk - All skim milk and butterfat:

- a. Used to produce any product other than a fluid milk product.
- b. Month-end inventory of fluid milk products.
- c. Accounted for as livestock feed.
- d. In shrinkage of producer milk not in excess of two percent; and in shrinkage of other source milk.

* Class Prices: (3.5 percent butterfat)

Class I Milk Price - The price for Class I milk of 3.5 percent butterfat under the Omaha-Lincoln-Council Bluffs order.

Class II Milk Price - During April, May, and June the same as the price for Class II milk of 3.5 percent butterfat under the Omaha-Lincoln-Council Bluffs order. During all other months the price for Class II milk of 3.5 percent butterfat under such order plus 10 cents.

FEDERAL MILK ORDER NO. 65

Cincinnati, Ohio

Marketing Area:

The city of Cincinnati and all the territory included in Hamilton County, Ohio.

Handler:

1. Any person who operates:

a. A "regulated plant"; or,

b. A fluid milk plant which is an unregulated plant.

Fluid Milk Plant - is a plant or other facilities used in the preparation or processing of milk all or a portion of which is disposed of during the month on a route (s) operated wholly or partially in the marketing area.

2. A cooperative association with respect to the milk of any producer which is diverted by it to an unregulated plant during the month.

Regulated Plant: (Defined in the order as a "pool plant")

Any milk plant, other than a producer-handler's plant, which is :

a. A fluid milk plant located in the marketing area.

b. A fluid milk plant located outside the marketing area from which not less than 10 percent of the entire Class I route disposition of such plant is disposed of on a route (s) operated wholly or partially in the marketing area.

c. A plant receiving milk from persons described in a. under "Producer" heading and which plant has moved; in fluid form, milk or skim milk to plants in a. or b. (above), equal to not less than one percent of the total Class I utilization of all plants in a. and b. (above) during the second month preceding such movement, as follows:

Month Milk is Moved:

Included in the pool during:

One of the months of

October and November November

Two of the months of

October, November, and December. . . . December

Three of the months of October,

November, December and January January through October

Regulated Plant - cont'd

Provision is made for an operator of a plant which is a "regulated plant" pursuant to paragraph c. to discontinue such "regulated plant" designation upon meeting prescribed conditions in the order.

* Producer:

Any dairy farmer, other than a producer-handler, who produces milk on a dairy farm approved by a health authority for production of milk for fluid disposition which milk is:

- a. Permitted by a marketing area health authority to be labeled and disposed of as Grade A in the marketing area; and
- b. Received during the month at a "regulated plant"; or
- c. Diverted during March through August to an unregulated plant for the account of a handler at a "regulated plant" or diverted any month to an unregulated plant by a cooperative association which is a handler if such milk was previously received at a "regulated plant".

Producer-handler:

Any person who is both a dairy farmer and a handler but receives no milk from other dairy farmers, and is able to furnish satisfactory proof to the market administrator that the facilities for production, processing and distribution are the personal enterprise of, and the personal risk of, such person. Producer-handlers are exempt from all but the reporting provisions of the order.

Classification:Class I Milk - All skim milk and butterfat:

- a. Disposed of in the form of a fluid milk product except as provided in b. and c. under Class III milk.

Fluid milk product - means the fluid form of milk, skim milk, butter-milk, flavored milk, milk drinks, cream (sweet, cultured, sour or whipped) eggnog, concentrated milk and any mixture of milk, sour milk, or cream (except frozen storage cream, aerated cream in dispensers, ice cream and frozen desert mixes, and evaporated or condensed milk).

- b. Not accounted for as Class II or Class III milk.

Class II Milk - All skim milk and butterfat:

- a. Used to produce ice cream, ice cream mix, frozen deserts, milk (or skim milk) and cream mixture disposed of in containers under pressure as a whipped or aerated product, and cottage cheese.
- b. Ending inventories of fluid milk products.

Classification - cont'dClass III Milk - All skim milk and butterfat:

- a. Used to produce butter, frozen cream, nonfat dry milk, all cheese (except cottage cheese) and evaporated or condensed milk (or skim milk) in bulk or hermetically sealed cans.
- b. Specifically accounted for as dumped, spilled or disposed of for animal feed.
- c. Disposed of in bulk during March through August, inclusive, as milk, skim milk or cream to a commercial food processing establishment where food is prepared only for consumption off the premises.
- d. Shrinkage not to exceed 2 percent of receipts of skim milk and butterfat, respectively, of producer receipts.
- e. Shrinkage allocated to other source milk.

Class Prices (3.5 percent butterfat):

Basic Formula Price - A basic formula price is used in computing the Class I price and is the higher of the following:

- a. The average price reported paid for milk of 3.5 percent butterfat at specified Midwest condenseries (see Chicago summary for list).
- b. $(\text{Chicago 92-score butter} \times 4.2) +$
 $(\text{Chicago area spray-powder} - 6.4¢ \times 8.2)$

Class I Milk Price - The basic formula price plus \$1.30, plus or minus a supply-demand adjustment of not more than 50 cents.

- * Supply-demand adjustment - A Class I utilization percentage is computed by dividing the total gross pounds of Class I milk (adjusted to eliminate duplications) in the second and third preceding months by the total pounds of producer milk in the same months and multiplying by 100.

For each full percentage point the Class I utilization percentage is greater than the applicable maximum or less than the applicable minimum, the Class I differential is increased or decreased, respectively, 3 cents.

<u>Pricing Month</u>	<u>Maximum</u>	<u>Minimum</u>	<u>Pricing Month</u>	<u>Maximum</u>	<u>Minimum</u>
January	67	69	July	53	55
February	66	68	August	49	51
March	66	68	September	48	50
April	67	69	October	51	53
May	63	65	November	58	60
June	60	62	December	63	65

Class Prices (3.5 percent butterfat)Supply-demand Adjustment - cont'd

The Class I differential adjusted by the supply-demand provision shall not be higher for the month of June than the adjusted differential for the immediately preceding month of May and the adjusted differential for January shall not be less than the adjusted differential for the preceding December.

Class II Milk Price -

(Chicago 92-score butter x 4.13) +

(Chicago area spray-powder - 5.5¢ x 8.2)

Class II Milk Price - For the months of September through February the same as the Class II milk price. For the months of March through August: the price reported paid for 3.5 percent butterfat milk at the following plants:

M. and R. Dietetic Laboratories	Chillicothe, Ohio
Carnation Milk Company	Hillsboro, Ohio
Nestles Milk Products, Inc.	Greenville, Ohio
Nestles Milk Products, Inc. (Osgood Milk Co.)	Osgood, Indiana
Carnation Milk Co.	Mayville, Kentucky

* Butterfat Differentials:

Class I Price - Class II differential plus 1.25 cents per point.

Class II Price - $\sqrt{(\text{Chicago 92-score butter} \times 118) -$

$(\text{Chicago area spray powder} - 5.5¢ \times 8.2) \div 1000$

Class III Price - $\sqrt{(\text{Chicago 92-score butter} - 5.0¢ \times 120) -$

$(\text{Chicago area spray powder} - 5.5¢ \times 8.2) \div 1000$

Provided: For each of the months of September through February, the differential for Class III milk, other than that used to produce butter, is the same as the Class II differential.

Producer Price - The sum of the values obtained by multiplying the percent of producer butterfat in each class by the respective class differentials.

* Location Differentials:

Class Prices - For producer milk received at a "regulated plant" located 45 miles or more from the City Hall in Cincinnati the price is reduced 15 cents for plants located less than 110 miles distant plus an additional 1.5 cents for each 10 miles or fraction thereof over 110 miles, when such milk is:

* Location Differentials - cont'd

- a. Moved in the form of a fluid milk product or as condensed skim milk or frozen cream to a "regulated plant" located less than 45 miles from Cincinnati City Hall. For transfers under this paragraph, the differential credit applies to the actual weight moved, which shall not exceed the difference between the total Class I and Class II milk at the transferee's plant and the receipts of producer milk at such plant. The credit is allowed if it does not exceed the obligation of the handler to the producer-settlement fund.
- b. Otherwise disposed of or utilized as Class I or Class II milk at the receiving plant.

Producer Price - The uniform price from producer milk received at "regulated plants" located 45 miles or more from the Cincinnati City Hall is reduced 15 cents at plants located less than 110 miles distant, and, an additional 1.5 cents for each 10 miles or fraction thereof over 110 miles.

* Method of Accounting for Milk:

Skim milk and butterfat are accounted for separately.

Type of Pool:

Market-wide monthly pool and fall premium plan. No base rating plan.

Interhandler Transfers:

Fluid milk products transferred to the "regulated plant" of another handler are classified as Class I unless utilization in another class is claimed by both handlers and the receiving plant has utilization in the claimed classification of an equivalent amount of skim milk and butterfat after subtraction of producer shrinkage and receipts of other source milk. If either or both plants have other source milk, the transferred amounts are classified so as to allocate the highest value use classification at both plants to producer milk.

Milk, skim milk, or cream in fluid form diverted or transferred to a producer-handler's plant is classified as Class I.

Outside Purchases:

Other source milk is subtracted in series, beginning with the lowest priced available class after subtraction of shrinkage in producer milk in the following order:

- a. All other source milk except that in b.
- b. Other source milk received in the form of a fluid milk product which is subject to the Class I pricing provisions of another Federal order.

Outside Purchases - cont'd

Compensatory payments - are required on other source milk subtracted from Class I and Class II pursuant to a. above at the difference between the price for milk (of the same butterfat content) in the class from which subtracted and the price pursuant to paragraph b. (butter-powder) under Basic Formula Price adjusted by the Class III butterfat differential (other than butter). In any month the aggregate utilization of Class I milk for all handlers at "regulated plants" is 90 percent or more of producer receipts no payment is required.

Outside Sales:

Milk, skim milk, or cream transferred or diverted in fluid form, in bulk, from a "regulated plant" to an unregulated plant is classified as Class I unless a lower classification is claimed by both transferor and transferee and records of receipts and utilization are made available at the unregulated plant for verification. If a lower classification is claimed, the transferred or diverted milk is assigned as follows:

- a. To the highest valued use available in the transferee plant if the milk was moved to a plant located in Campbell County or Kenton County, Kentucky from which a route is operated and the Class I utilization at the unregulated plant is less than the amount transferred.
- b. To use claimed in the reports when transferred to any other unregulated plant, if an amount equivalent to that transferred was used in the claimed classification. Any amounts in excess of the actual use in the claimed classification are assigned to Class III, to the extent available, then in sequence to Class II and Class I milk.

Expense of Administration:

Handlers pay administrative costs not to exceed 2 cents per hundredweight with respect to all producer milk received during the month.

Special Producer Provisions:

Marketing Service - A marketing service charge not to exceed 6 cents per hundredweight is deducted from payments to producers for whom marketing services are not being performed by a cooperative association which the Secretary determines to be qualified.

Fall Premium - The following amounts per hundredweight are deducted: 30 cents in April; 35 cents in May and June; and 20 cents in July. The resulting amount is distributed in four equal amounts the following September, October, November, and December.

Special Handler Provisions:

1. Plants subject to other Federal orders are not subject to the Cincinnati order, except for reports as required by the market administrator, unless the plant meets the "regulated plant" requirements under this order and disposes of a greater volume of fluid milk products in the Cincinnati marketing area than in the other area during the current month and the three immediately preceding months.
2. Handlers who operate unregulated plants make payments to the producer-settlement fund of an amount computed by multiplying the hundredweight of Class I milk disposed of on routes in the marketing area (except Class I milk purchased from "regulated plants") by the difference between the Class I price, adjusted by butterfat and location differentials, and the butter-powder price (paragraph b. under Basic Formula Price) adjusted by the Class III butterfat differential (other than butter).

Delete: page 267 dated 5/1/55
page 268 dated 4/1/56

FEDERAL MILK ORDER NO. 109

Clarksburg, West Virginia

Marketing Area:

Monongalia, Marion, and Harrison Counties; Grafton magisterial district in Barbour County; Leadsville magisterial district in Randolph County; the city of Buckhannon in Upshur County; the city of Weston in Lewis County; and the town of Kingswood in Preston County, all in the State of West Virginia.

Handler:

1. A cooperative association with respect to producer milk diverted (as summarized under "Producer" heading) from a "regulated plant" to an unregulated plant for the account of such association.
2. Any person in his capacity as operator of one or more approved plants, i.e.
 - a. A plant in which any fluid milk product is processed or packaged and disposed of during the month on routes (includes plant stores, vendors or vending machines) to wholesale or retail outlets (excluding "regulated plants") in the marketing area.
 - b. A plant from which fluid milk products eligible for distribution as Grade A in the marketing area are shipped during the month to a plant described in a. (above).

* Regulated Plant: (Defined in the order as a pool plant)

1. A distributing plant - i. e., an approved plant from which not less than 45 percent of its receipts from dairy farmers who meet the producer inspection requirements during April, May and June and not less than 55 percent in all other months is disposed of during the month on routes (includes plant stores, vendor and vending machine sales) to wholesale or retail outlets (except "regulated plants") and not less than 5 percent of such receipts is so disposed of in the marketing area.
2. A supply plant - i.e., an approved plant, during any of the months of September through January from which not less than 55 percent of its receipts from dairy farmers who meet the producer inspection requirements are shipped to distributing plants or to plants described in 3. (below) which dispose of on routes not less than 55 percent of the sum of:
(1) receipts of producer milk; (2) milk diverted to such plant by a handler at a distributing plant; and (3) any other fluid milk product received at such plant and eligible for distribution in the marketing area under a Grade A label.

A plant which qualifies as a supply plant in each of the months of September through January is a "regulated plant" until the end of the following August unless the operator requests unregulated plant status.
3. An approved plant which receives no milk from dairy farmers and from which Class I milk equal to 5 percent of its routes sales is disposed of in the marketing area.

Producer:

Any person, except a producer-handler, who produces milk in compliance with Grade A inspection requirements of a marketing area health authority, which milk is received during the month at a "regulated plant" or diverted by a handler for his account to an unregulated plant (except a plant subject to another Federal order) any day during the months of March through July or on not more than 10 days during any other month.

Producer-handler:

Any person who operates both a dairy farm (s) and a milk processing or bottling plant at which each of the following conditions are met during the month:

- a. Milk is received from the dairy farm of such person but from no other dairy farm.
- b. Fluid milk products are disposed of on routes or through a plant store to wholesale or retail outlets in the marketing area.
- c. The skim milk or butterfat disposed of in fluid milk products does not exceed that received in the form of milk from his own farm and that received in the form of fluid milk products from "regulated plants".

* Classification:

Class I Milk - All skim milk and butterfat:

- a. Disposed of in the form of fluid milk products except that in c. and d. under Class II;

Fluid milk products - means milk, skim milk, buttermilk, flavored milk, flavored milk drinks, yogurt, cream, or any mixture in fluid form of milk, skim milk and cream (except sterilized products in hermetically sealed containers, eggnog, ice cream mix and aerated cream).

- b. Not specially accounted for as Class II milk.

Class II Milk - All skim milk and butterfat:

- a. Used to produce any product other than a fluid milk product.
- b. Contained in month-end inventory of fluid milk products.
- c. Disposed of in bulk to any manufacturer of candy, soup, or bakery products who does not dispose of milk in fluid form.
- d. Disposed of as skim milk for livestock feed or skim milk dumped subject to prior notification to, and possible verification by, the market administrator.
- e. In shrinkage not to 2 percent, respectively of skim milk and butterfat in producer milk (except that diverted) and other source milk.

Class Prices (3.5 percent butterfat):

Basic Formula Price - A basic formula price is used in determining the Class I and Class II milk prices, and shall be the highest of the following:

- a. Average of prices paid during the month for 3.5 percent milk received at specified Midwest condenseries (see Chicago summary for list).
- b.
$$\frac{(\text{Chi 92-score butter} \times 6) + (\text{Wisc Ch. Ex. Ched.} \times 2.4) \times 1.3 \times 3.5}{7}$$
- c. $(\text{Chicago 92-score butter} - 3 \text{ cents} \times 1.2 \times 3.5) +$
 $(\text{Chicago area spray-roller powder} - 5.5 \text{ cents} \times 8.2)$

Class I Milk Price - The basic formula price for the preceding month plus:

February through July \$1.75
 August through January. \$2.20

Supply-demand Adjustment - To this price add or subtract the amount of any supply-demand adjustment effective in the calculation of the Class I price for the preceding month under the Cleveland, Ohio order.

Class Prices (3.5 percent butterfat):

- * Class II Milk Price - The Class II price shall be the basic formula price.

Butterfat Differentials:

Class I Price - Chicago 92-score butter for preceding month $\times 0.13$.

Class II Price - Chicago 92-score butter for the month $\times 0.115$.

Producer Price - Weighted average of class differentials.

Location Differentials:

Class I Price - With respect to milk received from producers at a "regulated plant" located 60 miles or more from the City Hall in Clarksburg and assigned (as provided in Sec. 1009.53 of the order) or otherwise classified as Class I milk, the Class I price is reduced at the following rate:

<u>Distance from Clarksburg City Hall.</u> (miles)	<u>Rate per cwt.</u> (cents)
60 but not over 70	20
70 but not over 80	22
80 but not over 90	24
Each additional 10	1

Class II Price - None

Location Differentials - cont'd

Producer Price - The applicable uniform price to be paid for producer milk received at or diverted to a "regulated plant" located 60 miles or more from the City Hall in Clarksburg is reduced in accordance with the same schedule which applies to the Class I price.

Method of Accounting for Milk:

Skim milk and butterfat are accounted for separately.

Type of Pool:

Market-wide, monthly pool with base rating plan; no fall premium plan.

Interhandler Transfers:

Skim milk and butterfat transferred in the form of fluid milk products from a handler to a "regulated plant" of another handler are classified to the extent required so as to result in the maximum assignment of producer milk of both handlers to Class I milk. Any additional amounts of skim milk and butterfat are classified as Class I milk unless the operators of both plants claim utilization as Class II in their reports. The amount of skim milk and butterfat so assigned to Class II for any month shall be limited to the respective amounts remaining in Class II for the month at the plant (s) of the receiving handler after subtraction of other source milk.

Skim milk and butterfat transferred in the form of products designated as Class I from a handler to a producer-handler are classified as Class I milk.

Outside Purchases:

Other source milk is subtracted from Class II after deduction of shrinkage in producer milk and any amounts over that in Class II is subtracted from Class I. Other source milk received from plants subject to another Federal order which was classified as Class I pursuant to such order is subtracted last.

Compensatory payments are required on other source milk not subject to another order which is subtracted from Class I. The rate, per hundred-weight, of such payment is the difference between the Class I price adjusted by the Class I butterfat and location differential and the Class II price adjusted by the Class II butterfat differential. In any month total producer deliveries are less than 110 percent of Class I utilization the rate is zero.

Outside Sales:

Skim milk and butterfat transferred or diverted by a handler in bulk form as milk, skim milk or cream to an unregulated plant is classified as Class I, except that cream, and milk or skim milk (when the milk or skim milk is moved to a plant less than 250 miles from Clarksburg) so transferred may be classified as Class II if the following conditions are met:

- a. The shipping handler claims Class II in his reports.
- b. The operator of the unregulated plant maintains records of utilization available for verification.
- c. An equivalent amount of skim milk and butterfat was actually utilized as reported; any amount transferred in excess of actual use is classified as Class I.
- d. In the case of cream so moved, the shipping handler labels each container of cream, "for manufacturing use only", the shipment is so invoiced, and the market administrator is given sufficient notice to verify such shipment.

Expense of Administration:

Handlers pay administrative costs not to exceed 4 cents per hundredweight for the skim milk and butterfat contained in: producer milk, other source milk not subject to another Federal order which is allocated to Class I; and Class I milk disposed of in the marketing area (except to "regulated plants") from an unregulated plant not subject to another Federal order.

Special Producer Provisions:

Marketing Service - Deductions as authorized by members are turned over to cooperatives. A marketing service charge not to exceed 5 cents is deducted from non-members.

Base Rating - A base rating plan subject to the rules set forth in the order applies March through July with the amount of daily base for each producer computed by dividing his total deliveries to all "regulated plants" during the preceding months of September through December by the number of days from the day of delivery in the period to the last day of December, or by 90, whichever is greater. Producers who delivered to an unregulated plant which became a "regulated plant" after the beginning of the September through December period are assigned a base calculated from their deliveries to such plant; a base so computed is non-transferrable.

Transfer of Base - Transfer (exception above) of an entire base may be made at any time by proper application signed by the base holder or his heirs (or in the case of joint holders, signed by all joint holders) and by the person to whom the base is transferred.

Special Handler Provisions:

1. Upon determination by the Secretary, the following plants are treated as unregulated plants except for such reports, and possible verification as may be required by the market administrator.
 - a. Any plant qualified pursuant to 1. and 3. under the "regulated plant" definition of such plant disposes of a greater volume of Class I milk in an area under another order and such plant is subject to the classification and pricing provisions of such orders if exempted under the Clarksburg order.
 - b. A supply plant for any portion of the period February through August that the milk of producers at such plant is subject to the classification and pricing provisions of another Federal order and the Secretary determines that such plant should be exempted from this order.
2. Handlers who operate unregulated plants which are not subject to another Federal order are required to make payments into the pool of an amount calculated by multiplying the total hundredweight of skim milk and butterfat disposed of in the form of fluid-milk products to wholesale or retail routes (including vendor and plant store sales) in the marketing area by the rate set forth under, "Outside Purchases". Payments do not apply to skim milk and butterfat in excess of that received from dairy farmers and that received in the form of fluid milk products from plants not regulated by any Federal order.

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FEDERAL MILK ORDER NO. 102

Wheeling, West Virginia - Ohio

* Marketing Area:

Ohio The counties of Belmont, Jefferson and Monroe, the townships of East Liverpool, St. Clair, Wellsville, Yellow Creek, Madison and Washington in Columbiana County, and the townships of Londonderry, Millwood, and Oxford in Guernsey County.

West Virginia The counties of Brooke, Hancock, Marshall and Ohio.

Handler:

1. Any person in his capacity as operator of one or more approved plants--i.e.
 - a. Any plant in which any fluid milk product is processed or packaged and is disposed of during the month on routes (includes plant stores, vendors, and vending machines) to wholesale or retail outlets (except other plants) in the marketing area.
 - b. A plant from which fluid milk products eligible for distribution as Grade A in the marketing area are shipped during the month to plants described in a. (above).
2. A cooperative association with respect to producer milk diverted (as summarized under "Producer" heading) from a "regulated plant" to an unregulated plant.

Regulated Plant: (Defined in the order as a "pool plant")

- a. A distributing plant - i.e., an approved plant from which at least 45 percent of its receipts from dairy farmers who meet the producer inspection requirements during April, May and June and not less than 55 percent in all other months is disposed of as Class I during the month on routes (includes plant stores, vendors and vending machines) to retail or wholesale outlets (except "regulated plants") and not less than 5 percent of such receipts is so disposed of in the marketing area.
- b. A supply plant - i.e., during any of the months of September through January, an approved plant from which, during the month, fluid milk products equal to not less than 55 percent of its receipts from dairy farmers who meet the producer inspection requirements are shipped to distributing plants or to plants described in c. (below) which dispose of as Class I milk on routes not less than 55 percent of the sum of: 1) producer milk received in any manner 2) milk received at a plant qualified pursuant to a. under "Handler" definition from another plant so qualified; and 3) any other fluid milk product received which is eligible for Grade A marketing area distribution.

Regulated Plant - cont'd

A supply plant which qualifies in each month September through January is a "regulated plant" until the end of the following August unless the operator requests unregulated plant status.

- c. An approved plant which receives no milk from dairy farmers and from which Class I milk equal to not less than 5 percent of its route sales are disposed of within the marketing area.

Producer:

Any person, other than a producer-handler, who produces milk in compliance with the Grade A inspection requirements of an appropriate marketing area health authority and the milk is received during the month at a "regulated plant" or diverted from the "regulated plant" to an unregulated plant (except a plant subject to another Federal order) for the account of the handler any day during the months March through July or on not more than 10 days during any other month.

Producer-handler:

Any person who operates a dairy farm and a milk processing or bottling plant at which each of the following conditions are met during the month:

- a. No milk is received from other dairy farmers.
- b. Fluid milk products are disposed of on routes or through plant stores to retail or wholesale outlets in the marketing area.
- c. The skim milk and butterfat disposed of in fluid milk products does not exceed that received in the form of milk from his own dairy farm and that received in the form of fluid milk products from the "regulated plants" of other handlers.

Classification:

Class I Milk - All butterfat and skim milk:

- a. Disposed of from the plant in the form of fluid milk products (except those classified pursuant to c. and d. under Class II).
- b. Not specifically accounted for as Class II milk.

Fluid milk product - means milk, skim milk, buttermilk, flavored milk milk, flavored milk drinks, yogurt, cream or any mixture in fluid form of milk, skim milk and cream (except sterilized products in hermetically sealed containers, eggnog, ice cream mix, and aerated cream).

Class II Milk All skim milk and butterfat:

- a. Used to produce any product other than a fluid milk product.
- b. Contained in the month end inventory of fluid milk products.

Class II Milk cont'd

- c. Disposed of as skim milk and used for livestock feed, or skim milk dumped subject to prior notification to, and possible verification by, the market administrator.
- d. In shrinkage not in excess of 2 percent of skim milk, and butterfat respectively in producer milk (except that diverted) and in other source milk.

Class Prices (3.5 percent butterfat):

Basic Formula Price - A basic formula price is used in determining the Class I and Class II milk prices, and shall be the highest of the following:

- a. Average of prices reported paid during the month for 3.5 percent milk received at specified Midwest condenseries (see Chicago summary for list).
- b.
$$\frac{(\text{Chi 92-score butter} \times 6) + (\text{Wisc Ch Ex Chedd} \times 2.4) \times 1.3 \times 3.5}{7}$$
- c.
$$(\text{Chicago 92-score butter} - 3 \text{ cents} \times 1.2 \times 3.5) +$$

$$(\text{Chicago area spray roller powder} - 5.5 \text{ cents} \times 8.2)$$

Class I Milk Price - The basic formula price for the preceding month plus:

February through July \$1.50
August through January. \$1.95

1/ Supply-demand Adjustment - To this price add or subtract the amount of any supply-demand adjustment effective in the calculation of the Class I price for the preceding month under the Cleveland, Ohio order.

* Class II Milk Price - The Class II price shall be the basic formula price for the month.

Butterfat Differentials:

Class I Price Chicago 92-score butter for preceding month x 0.13.

Class II Price - Chicago 92-score butter for the month x 0.115.

Producer Price - Weighted average of Class differentials.

1/ Suspended during the months of March and April, 1958.

Location Differentials:

Class I Price With respect to milk received from producers at a "regulated plant" located 60 miles or more from the City Hall of Wheeling, West Virginia, East Liverpool, Ohio or Steubenville, Ohio, whichever is nearest, and assigned (as provided in Sect. 1002.53 of the order) or otherwise classified as Class I milk, the Class I price is reduced at the following rate:

<u>Distance from the nearest of</u> <u>the above listed cities:</u> (miles)	<u>Rate per</u> <u>Hundredweight</u> (cents)
60 but not over 70	15.0
70 but not over 80	16.5
80 but not over 90	18.0
Each additional 10	1.0

Class II Price None

Producer Price - The applicable uniform price to be paid for producer milk received at a "regulated plant" located 60 miles or more from the City Hall of Wheeling, West Virginia, East Liverpool, Ohio or Steubenville, Ohio, whichever is nearest, is reduced in accordance with the same schedule which applies to the Class I price.

Method of Accounting for Milk:

Skim milk and butterfat are accounted for separately.

Type of Pool:

Market-wide, monthly pool with base rating plan; no fall premium plan.

Interhandler Transfers:

Skim milk and butterfat transferred in the form of fluid milk products to a "regulated plant" of another handler are to the extent required, classified so as to result in the maximum assignment of producer milk of both handlers to Class I milk. Any additional amounts of skim milk and butterfat are classified as Class I milk unless the operators of both plants claim utilization as Class II in their reports. The amount of skim milk and butterfat so assigned to Class II for any month, however, shall be limited to the respective amounts remaining in Class II for the month at the plant(s) of the receiving handler after subtraction of other source milk.

Skim milk and butterfat transferred in the form of fluid milk products to a producer handler are classified as Class I milk.

Outside Purchases:

Other source milk is subtracted from Class II after deduction of shrinkage in producer milk and any amounts over that in Class II is subtracted from Class I. Other source milk received from plants subject to another Federal order which was classified as Class I pursuant to such order is subtracted last.

Compensatory payments are required on source milk not subject to another Federal order which is subtracted from Class I. The rate per hundred weight of such payment is the difference between the Class I price adjusted by the Class I butterfat and location differentials and the Class II price adjusted by the Class II butterfat differential. In any month producer receipts are less than 110 percent of Class II utilization the rate is zero.

Outside Sales:

Milk sold outside the marketing area is priced the same as milk sold in the marketing area.

Skim milk and butterfat transferred or diverted by a handler in bulk form as milk, skim milk or cream to an unregulated plant is classified as Class I, except that cream, and milk or skim milk (when the milk or skim milk is moved to a plant located less than 250 miles from Wheeling) so transferred or diverted may be classified as Class II if all of the following conditions are met:

- a. The shipping handler claims Class II in reports.
- b. The operator of the unregulated plant maintains books and records of his total utilization of all skim milk and butterfat and the records are made available to the market administrator on request for purpose of verification.
- c. At least an equivalent amount of skim milk and butterfat was actually utilized as reported by the operator of the unregulated plant; any pounds transferred in excess of actual use is classified as Class I, and
- d. In the case of cream so moved, the shipping handler tags or labels each container of cream "for manufacturing use only", the shipment is so invoiced and sufficient notice is given the market administrator to allow him to verify such shipment.

Expense of Administration:

Each handler pays administrative costs not to exceed 4 cents per hundred weight of butterfat and skim milk contained in; producer milk, other source milk (not subject to another order) allocated to Class I; and Class I milk disposed of (except to a "regulated plant") in the marketing area by a handler from an unregulated plant not subject to another Federal order.



Special Producer Provisions:

Marketing Service - Deductions as authorized by members are turned over to cooperative associations. A marketing service charge not to exceed 5 cents per hundredweight is deducted from nonmembers.

- * Base Rating A base rating plan subject to the rules set forth in the order applies March through July with the amount of daily base computed for each producer by dividing his total deliveries to all "regulated plants" during the preceding months of September through December by the number of days from the first day of delivery in the period to the last day of December, or by 90, whichever is more. Producers who delivered to an unregulated plant which becomes a "regulated plant" after the beginning of the September through December period are assigned a base calculated from their to such plant; a base so computed is non-transferable.

Transfer of Base - Transfers (exception above) of an entire base may be made at any time by proper application signed by the base holder or his heirs (or in the case of joint holdings, by all joint holders) and by the person to whom the base is transferred.

Special Handler Provisions:

1. Upon determination by the Secretary the following plants are treated as unregulated plants except for such reports and possible verification, as may be required by the market administrator:
 - a. Any plant qualified pursuant to a. (distributing plant) or c. under the "regulated plant" definition if such plant disposes of a greater volume of Class I milk in an area under another Federal order and such plant is subject to the classification and pricing provisions of the other order if exempted under the Wheeling order.
 - b. A "regulated supply plant" for any portion of the period February through August that the milk of producers at such plant is subject to the classification and pricing provisions of another Federal order and the Secretary determines that such plant should be exempted from this order.
2. Handlers who operate unregulated plants which are not subject to another Federal order are required to make payments into the pool of an amount calculated by multiplying the total hundredweight of skim milk and butterfat disposed in the form of fluid milk products to wholesale or retail outlets (including vendor and plant store sales) in the marketing area by the rate set forth under "Outside Purchases". Payment does not apply to skim milk and butterfat in excess of that received from dairy farmers and that received in the form of fluid milk products from plants not regulated by any Federal orders.

Interhandler Transfers -- cont'd

Skim milk and butterfat transferred in the form of products designated as Class I milk from a handler to a producer handler are assigned as Class I milk.

Outside Purchases:

Other source milk is assigned to the pounds of skim milk and butterfat remaining in Class II after deduction for allowable shrinkage and the balance, if any, is assigned to Class I. Other source milk received in the form of fluid milk products in bulk form plants subject to another Federal order is subtracted last.

Compensatory payments -- In any month in which receipts from producers are more than 110 percent of total Class I utilization, payments are required on other source milk allocated to Class I at the following rates:

- a. March through July -- The difference between the Class I and Class II prices, subject to specified butterfat and location differentials.
- b. August through February -- The difference between the Class I price and the uniform price or the weighted average base and excess price to producers.

* Outside Sales:

Milk or skim milk in bulk form transferred to an unregulated plant from which no routes are operated and which is located less than 250 miles from the shipping plant is classified as Class I unless the transferring handler claims Class II in his reports; the buyer maintains records of utilization available for verification; and, an equivalent amount of skim milk and butterfat was actually utilized as Class II by the buyer.

Cream transferred in bulk form to an unregulated plant is classified as Class I unless the buyer maintains utilization records available for verification and such cream is not disposed of by the buyer under a Grade A label.

** indicates new provisions)

Basic Formula Price - cont'd

$$b. \frac{(\text{Chicago 92-score butter} \times 6) + (\text{Wis. Ch Ex Chedd} \times 2.4 \times 1.3 \times 4)}{7}$$

$$c. (\text{Chicago 92-score butter} \times 4.0 \times 1.2) +$$

(3-3/4 cents for each full 1/2 cent the price of Chicago area spray-roller powder is above 5 cents.)

- d. The average of prices reported as paid during the month for 4.0 percent milk at the following plants:

Kraft Foods Company	Fayetteville, Tennessee
Pet Milk Company	Greenville, Tennessee
Carnation Company	Murfreesboro, Tennessee
Borden Company	Lewisburg, Tennessee

Class I Milk Price - The basic formula price for the preceding month plus \$1.75, plus or minus a supply-demand adjustment of not more than 50 cents.

** Supply-demand adjustment - A current utilization percentage is computed by obtaining the percentage that total hundredweight of producer milk in the first and second preceding months was of the net hundredweight of Class I milk disposed of from all "regulated plants" in the same month.

The Class I price is increased or decreased 2 cents for each percentage the current utilization percentage is below the lower figure, or is above the higher figure for the month, in the following table:

<u>Pricing Month</u>	<u>Months Used</u>	<u>Standard Range</u>	<u>Pricing Month</u>	<u>Months Used</u>	<u>Standard Range</u>
January	Nov-Dec	117-121	July	May-June	134-138
February	Dec-Jan	117-121	August	June-July	128-132
March	Jan-Feb	117-121	September	July-Aug	115-119
April	Feb-Mar	119-123	October	Aug-Sept	110-114
May	Mar-Apr	124-128	November	Sept-Oct	114-118
June	Apr-May	134-138	December	Oct-Nov	114-118

Class II Milk Prices

February through August - The average of local plant prices paid during the month as set forth in subparagraph d. under the Basic Formula Price heading.

September through January - The butter-powder price, or the local plant price as set forth in subparagraphs c. and d., respectively, under the Basic Formula Price heading, whichever is higher.

Butterfat Differentials:

Class I Price -- Chicago 92-score butter x 0.13

Class II Price -- Chicago 92-score butter x 0.115.

The Class II butterfat differential shall not exceed an amount obtained by dividing the Class II price for the month by 40.

* Producer Price -- Weighted average of Class differentials.

Location Differentials:

Class I Price - With respect to milk received from producers at a "regulated plant" located 65 to 75 miles from the Chattanooga City Hall and assigned to Class I, the Class I price is reduced 15.0 cents and further reduced 1.5 cents for each 10 miles such a plant is located beyond 75 miles.

Class II Price -- None

Producer Price -- For producer milk received at "regulated plants" located 65 miles or more from the City Hall, Chattanooga, Tennessee, the price is reduced at the same rate as the Class I location differential.

Method of Accounting for Milk:

Skim milk and butterfat are accounted for separately.

Type of Pool:

Market-wide, monthly pool with base rating plan; no fall premium plan.

Interhandler Transfers:

Fluid milk products transferred to a "regulated plant" of another handler are classified, to the extent required, so as to result in the maximum assignment of the producer milk of both handlers to Class I. Any additional amounts are assigned to Class I unless both handlers claim utilization in Class II. The amount of the transferred products so assigned Class II, however, is limited to the amount of milk remaining in Class II at the plant of the receiving handler, after subtraction of other source milk.

Fluid milk products transferred to a producer-handler are classified as Class I.

* Outside Purchases:

Other source milk is subtracted from Class II in the following sequence after deduction of producer shrinkage: 1) that received which was not in the form of fluid milk products: 2) that received in the form of fluid milk products which was not subject to another Federal order: 3) that received which was subject to the Class I pricing provisions of another Federal order. The balance, if any, in each case, is subtracted from Class I.

Compensatory payments - are required, at the rate per hundredweight listed below, on other source milk subtracted from Class I pursuant to 1) or 2) above. In the case of that subtracted pursuant to 2), the payment is determined at the nearest plant (s) from which an amount equivalent to that subtracted from Class I was received.

- * July through March - Subtract the Class II price, adjusted by the Class II butterfat differential from the Class I price adjusted by the Class I butterfat differential, and in the case of fluid milk products, adjusted by the location differential of the plant at which the milk was received from farmers.

August through February - Subtract the uniform price to producers from the Class I price.

Outside Sales:

Milk sold outside the marketing area is priced the same as milk sold in the marketing area.

Milk or skim milk, in bulk form, transferred or diverted from a "regulated plant" to an unregulated plant is classified as Class I unless: the unregulated plant is located less than 250 miles from the City Hall in Chattanooga; the transferring handler claims classification in Class Class II; the transferee maintains utilization records available for verification; and not less than an equivalent amount was utilized in the use indicated by the transferring handler.

Cream, in bulk form transferred from a "regulated plant" to an unregulated plant is classified as Class I unless: the transferring handler claims classification in Class II and gives sufficient notice to allow for verification of such shipments; each container of such cream is labeled "for manufacturing use only"; the transferee maintains utilization records available for verification, and not less than an equivalent amount of skim milk and butterfat was actually utilized in the unregulated plant in the use reported.

Expense of Administration:

Handlers pay administrative costs not to exceed 4 cents per hundredweight with respect to producer milk, and other source milk not subject to another Federal order subtracted from Class I. Operators of unregulated plants are required to pay administrative costs on Class I milk disposed of (except to "regulated plants") in the marketing area.

Special Producer Provisions:

Marketing Service - Deductions, as authorized by members, are turned over to cooperative associations. A marketing service charge not to exceed 6 cents per hundredweight is deducted from non-members.

- * Base Rating - A base rating plan, subject to rules set forth in the order, applies March through July with each producer's base calculated by dividing his total deliveries to "regulated plants" in the preceding September through January by number of days from the first day of delivery in the period to the last day of January or 120, whichever is more. For producers who during the base forming period delivered to an unregulated plant which became a "regulated plant" after the beginning of the period, a base calculated same as above; a base so assigned is not transferrable.

Base Transfer - An entire base may be transferred, exception above, by the baseholder(s) upon application to the market administrator. A base held in partnership may be divided among the partners.

Special Handler Provisions:

Plants subject to other Federal orders are exempt, under the Chattanooga order, from all but reports with respect to receipts and utilization except:

- a. A distributing plant which disposed of a greater volume of Class I milk on wholesale or retail outlets (except to "regulated plants" and unregulated plants) under the Chattanooga order than under the other order.
- b. A supply plant which qualified as a "regulated supply plant" in each of the preceding months of August through February.

Compensatory payments -- Operators of unregulated plants which are not subject to another Federal order are required to make compensatory payments into the pool, with respect to all fluid milk products disposed of to retail or wholesale outlets (including vendors and plant stores) in the market at the rate set forth under the heading Outside Purchases.

CitationDate PublishedActionST. LOUIS - ORDER NO. 3

19 FR 3923	6/29/54	Order, as amended
20 FR 8807	12/1/55	Amendment No. 9
21 FR 2806	5/1/56	Amendment No. 10
21 FR 6563	8/31/56	Amendment No. 11

BOSTON - ORDER NO. 4

21 FR 8131	10/24/56	Order, as amended
21 FR 10466	12/29/56	Amendment No. 15
22 FR 1801	3/20/57	Order suspending certain provisions
22 FR 3027	4/30/57	Amendment No. 16
23 FR 679	2/1/58	Amendment No. 17

OKLAHOMA METROPOLITAN - ORDER NO. 6

22 FR 2825	4/23/57	Order, as amended
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<u>Citation</u>	<u>Date Published</u>	<u>Action</u>
<u>MILWAUKEE - ORDER NO. 7</u>		
15 FR 7173	10/26/50	Order
15 FR 9428	12/30/50	Amendment No. 1
16 FR 3691	5/1/51	Amendment No. 2
16 FR 6339	6/30/51	Amendment No. 3
16 FR 10922	10/27/51	Amendment No. 4
16 FR 12851	12/22/51	Order suspending certain provisions
17 FR 5796	6/28/52	Amendment No. 5
17 FR 7884	8/29/52	Amendment No. 6
18 FR 3087	5/29/53	Amendment No. 7
18 FR 8673	12/24/53	Order terminating specified terms
19 FR 1158	3/3/54	Amendment No. 8
19 FR 1815	4/2/54	Amendment No. 9
19 FR 4705	7/31/54	Order suspending certain provisions
19 FR 5573	9/1/54	Amendment No. 10
19 FR 7709	11/30/54	Amendment No. 11
20 FR 1	1/1/55	Amendment No. 12
20 FR 5448	7/30/55	Amendment No. 13
21 FR 1381	3/2/56	Amendment No. 14
21 FR 2555	4/19/56	Order suspending certain provisions

CENTRAL ARKANSAS - ORDER NO. 8

20 FR 8364	11/1/55	Order
21 FR 1163	2/21/56	Amendment No. 1
22 FR 2102	3/30/57	Amendment No. 2
22 FR 3915	6/5/57	Termination of certain provisions
22 FR 10734	12/27/58	Termination of certain provisions

TEXAS PANHANDLE - ORDER NO. 11

20 FR 9905	12/23/55	Order
21 FR 2807	5/1/56	Amendment No. 1
21 FR 8431	11/3/56	Amendment No. 2
22 FR 4711	7/4/57	Suspension
22 FR 6566	8/15/57	Amendment No. 3

<u>Citation</u>	<u>Date Published</u>	<u>Action</u>
<u>DUBUQUE - ORDER NO. 12</u>		
21 FR 2032	3/31/56	Order, as amended
21 FR 7513	10/2/56	Order, terminating specified terms
<u>GREATER KANSAS CITY - ORDER NO. 13</u>		
22 FR 7575	9/25/57	Order, as amended
<u>UPSTATE MICHIGAN - ORDER NO. 16</u>		
22 FR 5835	7/24/57	Order, as amended
<u>BLACK HILLS, SOUTH DAKOTA - ORDER NO. 17</u>		
23 FR 992	2/15/58	Order, as amended
<u>MEMPHIS - ORDER NO. 18</u>		
19 FR 2848	5/18/54	Order, as amended
19 FR 4705	7/31/54	Determination of equivalent price
19 FR 6299	9/30/54	Amendment No. 2
21 FR 2807	5/1/56	Amendment No. 3
21 FR 5635	7/27/56	Amendment No. 4
21 FR 9095	11/22/56	Correction



<u>Citation</u>	<u>Date Published</u>	<u>Action</u>
<u>CEDAR RAPIDS - IOWA CITY - ORDER NO. 31</u>		
22 FR 5815	7/23/57	Order, as amended
<u>FORT WAYNE - ORDER NO. 32</u>		
15 FR 3307	5/30/50	Order, as amended
16 FR 11095	11/1/51	Amendment No. 3
17 FR 4911	5/30/52	Amendment No. 4
18 FR 1199	3/4/53	Amendment No. 5
19 FR 1703	3/30/54	Amendment No. 6
19 FR 4594	7/27/54	Amendment No. 7
21 FR 2808	5/1/56	Amendment No. 8
<u>MERRIMACK VALLEY - ORDER NO. 34</u>		
20 FR 10030	12/29/55	Order, as amended
21 FR 6329	8/23/56	Order suspending certain provisions
21 FR 7020	9/19/56	Order suspending certain provisions
21 FR 10468	12/29/56	Amendment No. 14
22 FR 3030	4/30/57	Amendment No. 15
23 FR 701	2/1/58	Amendment No. 16
<u>OMAHA-LINCOLN-COUNCIL BLUFFS - ORDER NO. 35</u>		
17 FR 7411	8/15/52	Order, as amended
20 FR 880	2/11/55	Order suspending certain provisions
21 FR 2807	5/1/56	Amendment No. 4



<u>Citation</u>	<u>Date Published</u>	<u>Action</u>
	<u>NEW ORLEANS - ORDER NO. 42</u>	
23 FR 1242	2/28/58	Order, as amended
	<u>NORTH TEXAS - ORDER NO. 43</u>	
22 FR 7024	8/31/57	Order, as amended
	<u>QUAD CITIES - ORDER NO. 44</u>	
22 FR 2998	4/27/57	Order, as amended
	<u>LOUISVILLE - ORDER NO. 46</u>	
22 FR 7851	10/3/57	Order, as amended



<u>Citation</u>	<u>Date Published</u>	<u>Action</u>
<u>SIOUX FALLS-MITCHELL - ORDER NO. 56</u>		
17 FR 6187	7/10/52	Order
20 FR 1333	3/4/55	Amendment No. 1
20 FR 4176	6/15/55	Order suspending a certain provision
21 FR 2807	5/1/56	Amendment No. 2
<u>AKRON-STARK COUNTY - ORDER NO. 60</u>		
22 FR 537	1/29/57	Order, as amended
<u>PHILADELPHIA - ORDER NO. 61</u>		
23 FR 427	1/23/58	Order, as amended



<u>Citation</u>	<u>Date Published</u>	<u>Action</u>
<u>CINCINNATI - ORDER NO. 65</u>		
23 FR 45	1/2/53	Order, as amended
<u>SHREVEPORT - ORDER NO. 66</u>		
20 FR 1265	3/2/55	Order
21 FR 2807	5/1/56	Amendment No. 1
21 FR 4313	6/20/56	Amendment No. 2
22 FR 2525	4/13/57	Amendment No. 3
22 FR 4481	6/26/57	Amendment No. 4
<u>SOUTH BEND-LA PORTE - ORDER NO. 67</u>		
22 FR 2113	3/30/57	Order, as amended
<u>WICHITA - ORDER NO. 68</u>		
19 FR 1750	3/31/54	Order, as amended
20 FR 1203	2/26/55	Amendment No. 6
20 FR 2020	3/31/55	Amendment No. 7
21 FR 2806	5/1/56	Amendment No. 8

<u>Citation</u>	<u>Date Published</u>	<u>Action</u>
<u>CLEVELAND - ORDER NO. 75</u>		
20 FR 2947	5/3/55	Order, as amended
20 FR 3787	5/28/55	Order terminating specified terms
20 FR 4083	6/10/55	Correction
21 FR 2808	5/1/56	Amendment No. 12
21 FR 7481	9/29/56	Order, suspending certain provisions
21 FR 8318	10/26/56	Order suspending certain provisions
22 FR 5547	1/29/57	Amendment No. 13
23 FR 562	1/29/58	Order, suspending certain provisions

FORT SMITH - ORDER NO. 76

17 FR 6939	7/30/52	Order
17 FR 9771	10/30/52	Amendment No. 1
18 FR 1154	2/28/53	Amendment No. 2
18 FR 8671	12/24/53	Order terminating specified terms
20 FR 2021	3/31/55	Amendment No. 3
20 FR 9817	12/21/55	Order suspending certain provisions
21 FR 2807	5/1/56	Amendment No. 4

PADUCAH - ORDER NO. 77

20 FR 414	1/19/55	Order, as amended
21 FR 2806	5/1/56	Amendment No. 2
22 FR 546	1/29/57	Amendment No. 3

NASHVILLE - ORDER NO. 78

23 FR 563	1/29/58	Order, as amended
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<u>Citation</u>	<u>Date Published</u>	<u>Action</u>
<u>CENTRAL WEST TEXAS - ORDER NO. 82</u>		
23 FR 638	1/31/58	Order, as amended
<u>MUSKEGON - ORDER NO. 85</u>		
18 FR 4787	8/13/53	Order
18 FR 8673	12/24/53	Order terminating specified terms
21 FR 2807	5/1/56	Amendment No. 1
22 FR 2119	3/30/57	Amendment No. 2
<u>CENTRAL MISSISSIPPI - ORDER NO. 87</u>		
21 FR 1982	3/30/56	Order, as amended
21 FR 2807	5/1/56	Amendment No. 2
21 FR 7369	9/27/56	Order terminating certain provisions
21 FR 7481	9/29/56	Amendment No. 3
22 FR 2121	3/30/57	Amendment No. 4
<u>KNOXVILLE - ORDER NO. 88</u>		
19 FR 7711	11/30/54	Order, as amended
21 FR 1439	3/6/56	Order suspending certain provisions
21 FR 2679	4/26/56	Order suspending certain provisions
21 FR 2807	5/1/56	Amendment No. 9
21 FR 7513	10/2/56	Order terminating certain terms
22 FR 6862	8/24/57	Order suspending certain provisions
23 FR 1250	2/28/58	Amendment No. 10
<u>ROCKFORD-FREEPORT - ORDER NO. 91</u>		
17 FR 7920	8/30/52	Order, as amended
18 FR 88673	12/24/53	Order terminating specified terms



<u>Citation</u>	<u>Date Published</u>	<u>Action</u>
<u>NORTH CENTRAL OHIO - ORDER NO. 95</u>		
22 FR 4181	6/14/57	Order, as amended
22 FR 6208	8/3/57	Order suspending certain provisions
23 FR 679	2/1/58	Order suspending certain provisions
<u>SPRINGFIELD, MASS. - ORDER NO. 96</u>		
20 FR 10038	12/29/55	Order, as amended (Amendment No. 5)
21 FR 6330	8/23/56	Order suspending certain provisions
21 FR 10469	12/29/56	Amendment No. 6
22 FR 3032	4/30/57	Amendment No. 7
23 FR 702	2/1/58	Amendment No. 8
<u>CORPUS CHRISTI - ORDER NO. 98</u>		
22 FR 6645	8/20/57	Order as amended
<u>WORCESTER - ORDER NO. 99</u>		
20 FR 10045	12/29/55	Order, as amended (Amendment No. 5)
21 FR 627	1/28/56	Correction
21 FR 6330	8/23/56	Order suspending certain provisions
21 FR 10470	12/29/56	Amendment No. 6
22 FR 3033	4/30/57	Amendment No. 7
23 FR 702	2/1/58	Amendment No. 8
<u>CHATTANOOGA - ORDER NO. 100</u>		
21 FR 5567	7/25/56	Order
21 FR 7513	10/2/56	Order terminating specified terms
23 FR 1251	2/28/58	Amendment No. 1

<u>Citation</u>	<u>Date Published</u>	<u>Action</u>
<u>WHEELING - ORDER NO. 102</u>		
22 FR 9573	11/30/57	Order, as amended
23 FR 1254	2/28/58	Suspension
<u>CENTRAL ARIZONA - ORDER NO. 104</u>		
22 FR 7041	8/31/57	Order, as amended
<u>NORTH CENTRAL IOWA - ORDER NO. 105</u>		
22 FR 7455	9/19/57	Order
<u>INLAND EMPIRE - ORDER NO. 108</u>		
22 FR 7584	9/25/57	Order, as amended
<u>CLARKSBURG - ORDER NO. 109</u>		
22 FR 9581	11/30/57	Order, as amended
23 FR 1253	2/28/58	Suspension
<u>WILMINGTON - ORDER NO. 110</u>		
21 FR 3488	5/25/56	Order
22 FR 7102	9/5/57	Amendment No. 1
<u>BLUEFIELD - ORDER NO. 112</u>		
21 FR 7482	9/29/56	Order
<u>PLATTE VALLEY - ORDER NO. 113</u>		
22 FR 2527	4/13/57	Order
22 FR 7768	10/1/57	Order suspending certain provisions
23 FR 1196	2/26/58	Amendment No. 1
<u>SOUTHEASTERN FLORIDA --ORDER NO. 118</u>		
22 FR 5919	7/26/57	Order
22 FR 7048	8/31/57	Termination of specified terms

